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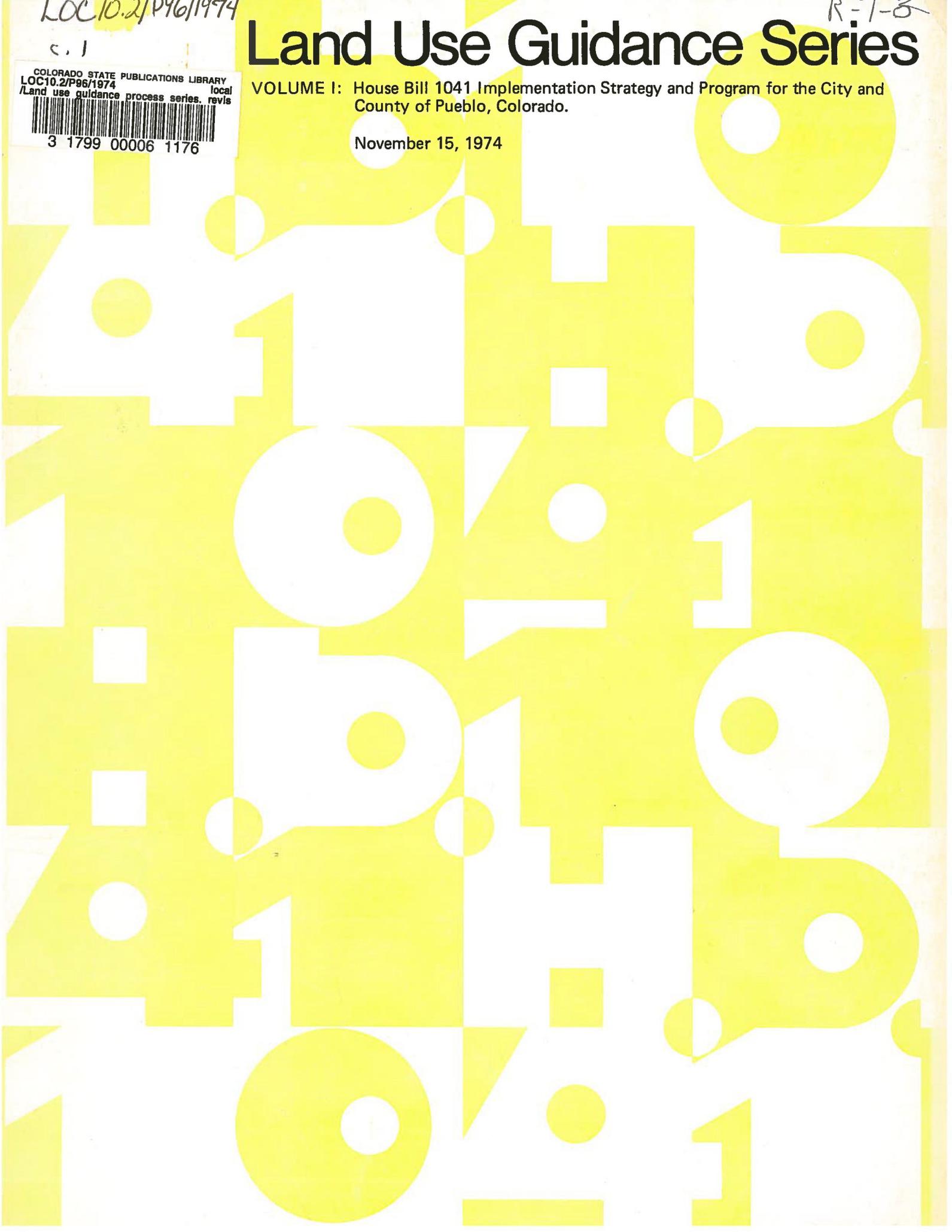
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Land use guidance process series, rev/s

VOLUME I: House Bill 1041 Implementation Strategy and Program for the City and County of Pueblo, Colorado.

November 15, 1974



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LAND USE GUIDANCE PROCESS SERIES

VOLUME I:

HOUSE BILL 1041 IMPLEMENTATION STRATEGY AND PROGRAM
FOR THE
CITY AND COUNTY OF PUEBLO, COLORADO

REVISED APPLICATION

SUBMITTED
BY

PUEBLO, COLORADO

PREPARED
FOR

TECHNICAL & FINANCIAL
ASSISTANCE

FROM

THE COLORADO DEPARTMENT
OF LOCAL AFFAIRS
AND
APPROPRIATE STATE AGENCIES

AS
PROVIDED
BY

COLORADO HOUSE BILL 1041 -
AREAS AND ACTIVITIES
OF STATE INTEREST



PREPARED BY: PUEBLO REGIONAL PLANNING COMMISSION,
AN AGENCY OF
THE PUEBLO AREA COUNCIL OF GOVERNMENTS

NOVEMBER 15, 1974

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PUEBLO REGIONAL PLANNING COMMISSION
1 CITY HALL PLACE
PUEBLO, COLORADO 81003

November 15, 1974

Mr. J. D. Arehardt, Executive Director
Department of Local Affairs
1550 Lincoln Street, Room 208
Denver, CO 80203

Dear Mr. Arehardt:

The attached document prepared primarily by Ron Simpson of this staff represents a revised Work Program and application for supplemental funds for the implementation of House Bill 1041 activities in the City and County of Pueblo. As you may recall, we originally filed a rather rudimentary work plan on May 28 of this year less than three weeks after the law was signed by Governor Vanderhoof. Further study of the Bill, considerations of specific local problems in implementation, and receipt of various State guidelines, procedures and standards now require a significant and extended revision to our earlier proposal.

This application requests supplemental funds in the amount of \$61,724 to include the City of Pueblo in the Identification - Designation - Standardization - Administration program.

Our specific approach to implementation of this Bill is virtually required by the pre-existence or the pendency of various other planning-review-decision-making procedures. The HUD 701 Comprehensive Planning program has been underway here for over 15 years. Zoning/subdivision regulations have existed in both the City and County for many years. Appropriate A-95 review procedures have been initiated. Since September 1, 1972, Subdivision Regulations, as required under Senate Bill 35, have been effective and operational. Much effort has been expended to date in preparation for the development and adoption of a Mineral Extraction Plan by July 1, 1975, as required by House Bill 1529. Current activities include consideration of both air and water quality programs required by the Environmental Protection Agency by virtue of Federal legislation. We anticipate that a very substantial two-year program for Waste Water Quality Management Planning will be initiated here by March 1, 1975. Current local consideration is being given to the requirements of having been designated an Air Quality Maintenance Area and the necessity of producing an Air Quality Maintenance Plan over the next two years.

A MEMBER OF THE SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

pueblo area council of governments

This collection of planning activities dictates the specific Pueblo Approach. We have always felt an urgency to avoid in planning a special single-purpose approach. Consequently, based upon current and very likely future planning activities, the Pueblo Approach will be to integrate existing land use surveillance systems and programs with the locally developed procedures required by House Bill 1041. This integrated intent is essential, if any local jurisdiction or local planning operation is to make any sense or semblance of reason out of the multitude of diverse, differently dated, and sometimes even conflicting requirements of various State or Federal laws.

We plan to file with you an amended proposal by December 7, 1974, for supplemental funds for three specific analyses which might be of benefit to the rest of the State once conducted. These three specific analyses are the following:

- A. New Communities Implementation Study
- B. Mineral Extraction Plan as required by H. B. 1529 for the nine most populous counties of Colorado
- C. Pueblo Reservoir Impact Study to develop additional controls to protect a Natural Resource of State-wide importance.

We also plan additional publications which relate to Land Use Guidance Processes. The four volumes currently under preparation with expected completion dates are found in the "About This Report" Section of Volume One. They are as follows:

LAND USE GUIDANCE PROCESSES SERIES:

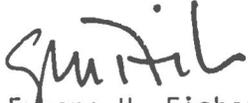
- Volume 1: "House Bill 1041 Implementation Strategy and Program for the City and County of Pueblo" (transmitted herewith)
- Volume 2: "Proposed House Bill 1041 Special Topic Analyses" (to be released in December, 1974)
- Volume 3: "Proposed Revisions to House Bill 1041" (to be released in February, 1975)
- Volume 4: "Integrated Planning Program for 1975-1976 for the Pueblo Regional Planning Commission" (proposed to be released in March, 1975)
- Volume 5: "Proposals for Additional Land Use Guidance Systems" (proposed to be released in July, 1975).

Mr. J. D. Arehart, Executive Director
November 15, 1974
Page Three

We hope that these volumes of a locally sponsored series will be of benefit to the land use planning process Statewide. I would like to note that House Bill funds will support only those activities which directly relate to its implementation.

Thank you for your consideration.

Sincerely yours,



Eugene H. Fisher
Director

Enclosure

EHF:lr

ABOUT THIS REPORT:

This is a revised application for technical and financial assistance for participation in the House Bill 1041 Implementation Process. The staff of the Pueblo Regional Planning Commission prepared this document for submission to the Colorado Department of Local Affairs in accordance with the provisions of House Bill 1041.

The intent of this report is to clarify and amplify the previously submitted Work Program for Pueblo County which was transmitted from this office to the Colorado Division of Local Government on May 28th of this year (see Appendix A).

- * In the intervening five-month period from May to October, there has not been a Work Program Evaluation returned to this office from the Colorado Department of Local Affairs.
- * The Colorado Division of Planning has subsequently released advisory publications entitled "1041 Technical Bulletin," Numbers 1, 2, 3 and 4.
- * Several State agencies have released preliminary proposals for the "Regulation of Matters of State Interest."
- * Revisions to the original Pueblo Proposal have been performed in response to the clarification of State intent and requirements under House Bill 1041.
- * Clarification of the Pueblo Approach has occurred as a result of those revisions.

It has therefore been determined that a revised Work Program should be presented in order to demonstrate consideration of current State recommendations within the Pueblo Proposal and to keep the State abreast of modifications in local intent.

The application is presented in text form to facilitate the communication of the Proposed Pueblo Strategy and Work Program and to provide for internal as well as external transmittal for review and comment.

This document is Volume I of Five Volumes titled LAND USE GUIDANCE PROCESS SERIES to be prepared by the Pueblo Regional Planning Commission. The Series sequence is as follows:

Volume I:

"House Bill 1041 Implementation Strategy and Program for the City and County of Pueblo, Colorado," November 15, 1974.

Volume II: "Proposed House Bill 1041 Special Topic Analyses," to be released in December, 1974.

Volume III: "Proposed Revisions to House Bill 1041," to be released in February, 1975.

Volume IV: "Integrated Planning Program for 1975-76 for the Pueblo Regional Planning Commission," proposed to be released in March, 1975.

Volume V: "Proposals for Additonal Land Use Guidance Systems," to be released in July, 1975.

I. INTRODUCTION

House Bill 1041 is a land use regulating Bill which specifies that four Areas and nine Activities of State Interest will be considered during the local land use decision-making process.

The Areas include:

1. *Mineral Resource Areas*
2. *Natural Hazard Areas*
3. *Areas Containing or Having Significant Impact upon Historical, Natural, or Archaeological Resources*
4. *Areas Around Key Facilities*

The Activities include:

1. *Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and Major Extension of Such Systems*
2. *Site Selection and Development of Solid Waste Disposal Sites*
3. *Site Selection of Airports*
4. *Site Selection of Rapid or Mass Transit Terminals, Stations and Fixed Guideways*
5. *Site Selection of Arterial Highways, Interchanges and Collector Highways*
6. *Site Selection and Construction of Major Facilities of a Public Utility*
7. *Site Selection and Development of New Communities*
8. *Efficient Utilization of Municipal and Industrial Water Projects*
9. *Conduct of Nuclear Detonations*

The Bill establishes procedures which the local governments must follow in dealing with the Matters of State Interest. The main Stages of the implementation process are:

1. *Determination of the existence of a Matter of State Interest - Identification*
2. *Developing procedural guidelines and officially recognizing the existence of the Matters of State Interest - Designation*
3. *Issuing permits for development or consideration of a Matter of State Interest - Administration*

There are points where the local governments must include the State in the planning-review-decision-making process and where State assistance is provided to the local Governments. These are:

- A. Technical and financial assistance for Identification is provided by the Colorado Department of Local Affairs and appropriate State agencies.
- B. Model regulations for Matters of State Interest are provided by State agencies.
- C. The Colorado Land Use Commission is the prime monitor for the State. This Commission is involved in:
 - 1. Issuing guidelines for Designation to the local governments
 - 2. Receiving and reviewing local orders pertaining to Matters of State Interest
 - 3. Making recommendations to the local governments on local orders
 - 4. Requesting initiation of the H.B. 1041 Process where it has not been done
 - 5. Seeking Judicial Review of local governmental actions and guidelines
 - 6. Issuing Cease and Desist Orders, with approval of the Governor, which suspend development or conduct of a Matter of State Interest
- D. The local governments must follow prescribed referral procedures to inform the Land Use Commission of their actions.

This is an abecedarian overview of the Bill which indicates what is involved and what has to be considered in developing a Work Program. Although there is the interjection into the local land use decision-making process of State review and monitoring, this is not revolutionary since this form of State intervention occurs under Senate Bill 35 and House Bill 1529. *What is unique in the H.B. 1041 Program is the appropriation of funds by the State for local planning.*

All things considered, the Bill is not the feared mechanism which transfers local responsibilities to the State. In fact, the Bill can probably be correctly interpreted as being a reemphasis of the philosophy that the primary responsibility for land use decision-making rests at the local level of government. Although the State is more closely linked to local land use decision-making through the Bill, there are local responsibilities specified within the Bill that enforce the idea of more local control. They are:

- 1. Deciding whether or not to participate in the Identification stage.

2. Performing Identification
3. Making the final determination on Designation
4. Accepting or rejecting recommendations from the Land Use Commission
5. Locally administering the Bill

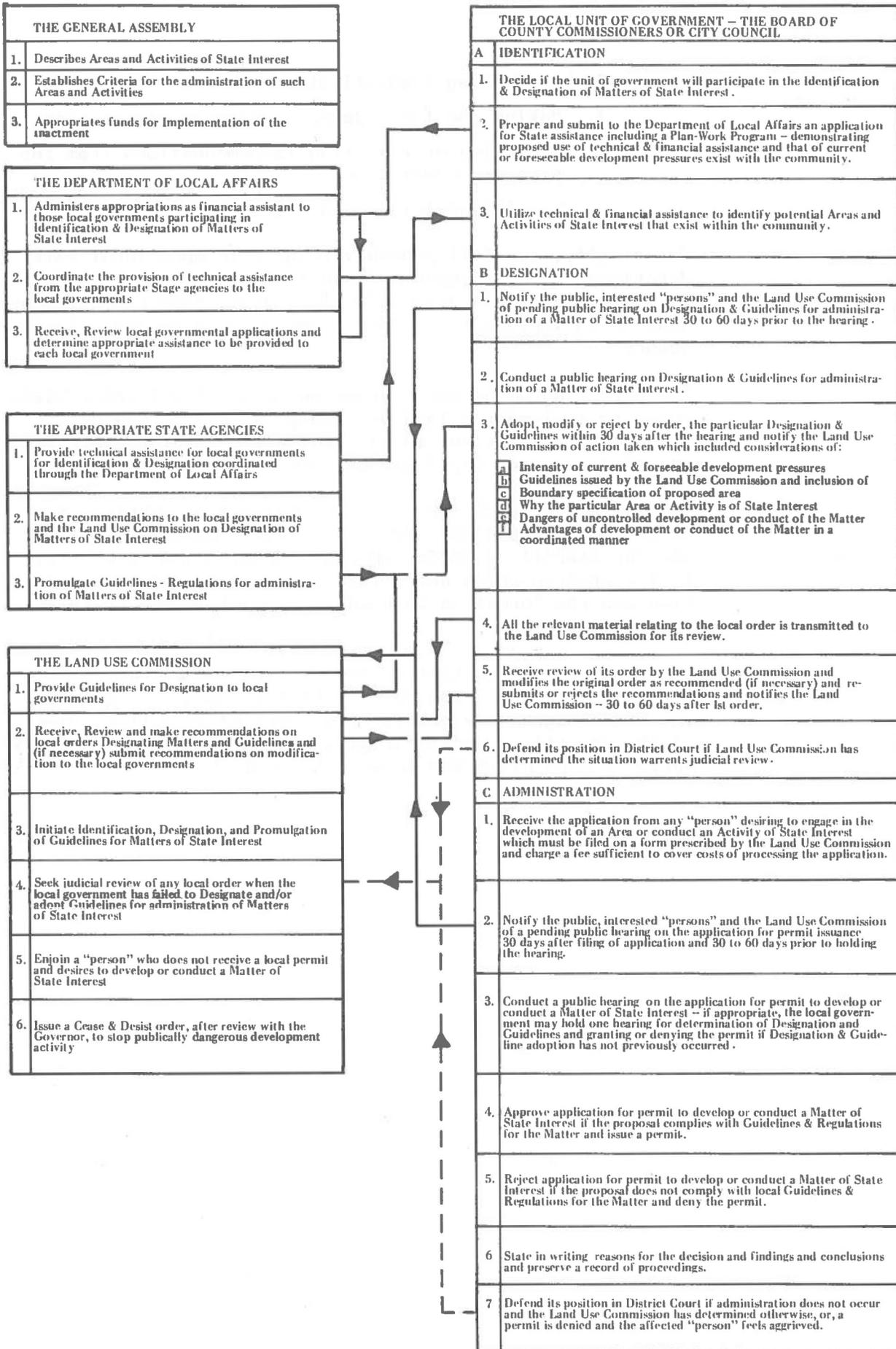
Essentially, the Bill probably results in more local self-determination with technical and financial assistance from the State. If this assumption is viable, then the development of an implementable Work Program takes on more significance.

The Work Program becomes the prime means of utilizing State money to implement a land use analysis, review and permit issuance system at the local level which should result in creating a better physical environment for Colorado.

The manner in which the local governments accomplish this is extremely important when considering future legislation and the aspects of State supported local functions. This is the premise which determined the need for this reapplication and the format to be used in communicating the local Pueblo intent.

It must be realized that as the H.B. 1041 Implementation Process evolves and the more State assistance is received, the Work Program may possibly be modified as well as some of the Objectives and Strategies presented herein, if necessary, to accomplish the intent of the Bill.

INTERPRETED HOUSE BILL 1041 IMPLEMENTATION PROCESS



II. DEFINITIONS

Identification: The first Stage in the process of implementing House Bill 1041.

Identification is the basis for all subsequent stages and is the inventory analysis-evaluation portion of the process. The purpose of Identification is to determine if a Matter of State Interest potentially exists within the boundaries of the local jurisdiction. The term "potential" is used because stipulated in the Bill, a Matter officially exists only after it has been "designated by the local government." Identification involves the following:

- A. Determining if there are conditions that exist within the boundaries of the local jurisdiction which meet the criteria for Matters of State Interest.
- B. Describing the conditions, if they exist, and proving why they exist.

Designation: Designation is the second Stage of the implementation Process for H.B. 1041.

This stage involved the official action taken to recognize the existence of a Matter of State Interest within the boundaries of a community. There are referral procedures between the State and the local government included in this stage, along with the holding of public hearings.

Designation is that point in time when the local government says "yes" or "no" to the fact that a jurisdiction recognizes the existence of a set of conditions which requires special attention before these conditions are altered or modified. This Stage includes:

- A. Reviewing information obtained through the Identification Stage.
- B. Holding a public hearing on the attitudes of the citizens on designating a certain area or activity within the community.
- C. Completing a referral procedure where actions taken by the community are transmitted to the State (the Colorado Land Use Commission), and recommendations are returned to the local government and either accepted or rejected.
- D. Officially taking action that decides if a Matter of State Interest exists or not.

Standardization:

Standardization is the third Stage of the implementation process for 1041.

Standardization is a term used in this program which signifies the Stage where regulations for administration of the Matter of State Interest are developed and enforced during administration. This Stage is presented in the Bill under Section 106-7-402. This Stage involves:

- A. Obtaining recommended standards for development from the State agencies and using them or modifying them in accordance with the Bill.
- B. Assuring that the impacts indicated in Identification are mitigated or compensated for by regulation.
- C. Holding a public hearing on the appropriateness of the proposed regulations as it appears to the citizens.
- D. Completing referral procedures, as before, with the State.
- E. Setting down the rules whereby a Matter of State Interest can be developed or conducted.

Administration:

Administration is the fourth Stage of the implementation process for H.B. 1041.

Administration is the Stage where the decision-making body receives applications from "persons" desiring to develop or conduct a Matter of State Interest. This is the review-permit-issuance procedure.

The decision-making body (the local government) must determine whether or not the applicant can comply with the regulations established. If the person can comply, then a permit is issued; if not, a permit is not issued. This stage includes:

- A. Receiving applications for permits to develop or conduct a Matter of State Interest.
- B. Conducting a public hearing on the appropriateness of allowing such development or conduct to occur.
- C. Determining if the applicant can comply with the regulations.
- D. Issuing or denying the permit for development or conduct of a Matter of State Interest.
- E. Maintaining permanent records of all testimony, procedures, actions and reasons for such actions.

Stage: A Stage represents one of the major operations which must be performed by the local government in a determined sequence. This program confines the use of this term to the following: Identification, Designation, Standardization, and Administration.

Local Government: Local government refers to the decision-making body of a jurisdiction which is normally the Board of County Commissioners or the City Council.

These foregoing definitions are an interpretation from the Bill and are subject to modification pending clarification by the State.

Goal: The expression of public desires which are ideal conditions to be attained involving long-range efforts which can encompass large geographical or topical concerns.

Objective: Quantifiable results to be achieved involving intermediate-range efforts relating to more confined geographical or topical concerns the result of which is consistent with stated goals.

Policy: A stated intent or approach to attain an objective which guides local decision-making actions and influences implementation.

Program: The determination of activities reflecting a policy directive which specifically implements the quantifiable objective.

Operation: The expenditure item required to meet the objective in administration, planning, or implementation activities.

III. OPTIONS FOR
LOCAL GOVERN-
MENTAL IMPLE-
MENTATION OF
H.B. 1041

Analysis of the Interpreted Implementation Process results in the conclusion that there are alternatives for local Work Program development and options for implementation at the community level with the only apparent constraints being the recommendation-transferral procedures and the need to designate.

To design an implementable program, these options should be evaluated to determine what is available to the local government, what problems may arise due to alternate interpretations, and to insure that the program is usable and realistic in light of local conditions.

The efforts of the H.B. 1041 Process will result in procedures, regulations, products and modification in existing implementation mechanisms which will have impact on the local land use decision-making process. The extent of this impact depends upon the extent of the program and the intended use. The changes that will occur will be welcomed in some instances and feared in others. The reception of House Bill 1041 by the local governments depends upon the existing conditions prevalent within each community and the attitudes of the local electorate. It is understood that these attitudes and conditions are not stagnant and are subject to change, sometimes drastically. Therefore, attempts to state the conditions and attitudes may be difficult, but necessary.

As stated previously, a determination of how the H.B. 1041 Process will work in conjunction with existing conditions and procedures is necessary in order to develop a viable local program.

For comparative purposes, it will be assumed that possibilities are not limited. A scenario of possible local options is presented as a context from which the Pueblo Approach is selected and to demonstrate what Pueblo considers appropriate implementation in relation to available alternatives.

There are at least five possible alternative philosophies available to the local governments. Each one has definite implications in terms of the Work Program product and the manner in which H.B. 1041 will be implemented.

These alternative philosophical approaches to H.B. 1041 allow for a variety of implementation strategies and optional program objectives. Some possible strategies resulting from each of the philosophies are indicated as follows:

Philosophy 1:

1. House Bill 1041 is merely a means of interjecting State opinions and desires into the local land use decision-making process, and thus produces a more involved bureaucratic procedure and threatens to place more State control on local government resulting in a certain amount of loss in local self-determination; therefore, 1041 is a threat to local government and should be circumvented.

Philosophy 1 Strategies:

- a. Design a Work Program which is oriented toward strengthening the local position and lessening the involvement of the State.
- b. Utilize the exclusionary clauses contained within the Bill and extend the definitions in that section to all "zoned" land, thus negating the greatest portion of the Bill, Section 106-7-107 (1), (I), (II) and (III).
- c. Emphasize the provisions under Section 106-7-501 (2) (b) which allow for a single common hearing and decision point for Designation, Guidelines and Permit Issuance which action negates the need for Identification and the recommendation-referral procedures with the Land Use Commission.
- d. Utilize House Bill 1034 to allow the County Commissioners to determine the extent to which they apply H.B. 1041.
- e. At public hearings, meetings, and in the media, demonstrate the limitations and disturbing possibilities associated with the Bill, essentially taking a negative advocacy position.

Philosophy 2:

2. House Bill 1041 is purely academic considering the existing level of planning-review-decision-making and the level of land use control that is enforced within the community. H.B. 1041 is thus redundant, and for all intents and purposes H.B. 1041 is accomplished by the existing local operations and, therefore, should play a secondary supplemental role in the planning-review-decision-making process.

Philosophy 2 Strategies:

- a. Design a Work Program which will not interfere with or complicate any of the existing ongoing programs.
- b. Budget the financial assistance into the existing programs to permit additional supply and personnel expenditures.

- c. Rely on existing review decision-making procedures to fulfill public hearing and legislated control, thus modifying existing regulations, where necessary, to include H.B. 1041 considerations.

Philosophy 3:

3. House Bill 1041 is simply non-implementable because of the difficult and involved administration procedures, and the requirement of adopting specific regulations for development is inconsistent with local attitudes and needs. Minimal effort, therefore, should be applied to this program because it is obvious that the State will have to effectuate changes in the Bill and because it is unacceptable in its present form.

Philosophy 3 Strategies:

- a. Design a Work Program that anticipates modifications in the Bill and include proposals for changes while developing a framework that satisfies the basic requirements of the State recommendations found in Technical Bulletins Numbers 1, 2, 3 and 4.
- b. Rely on existing review and decision-making procedures to meet the requirements of the Bill, or, where these are insufficient, rely on the State recommendations for implementation.
- c. Employ a land use administrator and develop a process which focuses all effort on that position, thus minimally disrupting the existing situation.

Philosophy 4:

4. House Bill 1041 is a means of strengthening State responsibilities for determining land use at the local level and provides a mechanism for transferring the review decision-making process to the State level, thus relieving local pressure concerning land use control; consequently, this possibility minimizes the need for local effort.

Philosophy 4 Strategies:

- a. Design a Work Program which relies on the input from State agencies for Identification, Designation and Permit Issuance.
- b. Design the process whereby the review and decision-making stages require recommendation transferral from the State.
- c. Emphasize the total process and attempt to negate the by-pass mechanism where there is a common hearing when Designation has not previously occurred.

- d. Establish a land use administrator function and strengthen the interface between that office and the State agencies and disassociate that office from the existing decision-making procedure.
- e. Utilize the State agency input instead of forming a local planning operation.

Philosophy 5:

- 5. House Bill 1041 is a mechanism which can serve as catalyst for providing planning services at the State and local levels which up to this point in time were neither financially supported nor within the capabilities, politically and administratively, of the existing planning effort. Therefore, the H.B. 1041 Process will strengthen and improve the planning-review-decision-making processes at the State and local levels and should be advocated and implemented as completely as is feasible.

Philosophy 5 Strategies:

- a. Design a Work Program which provides for existing program input and also provides results that are usable in initiating and planning future programs.
- b. Restrict the application of the exclusionary provisions under Section 106-7-107 of the Bill and all new applications under Zoning, Subdivision Review and Miner Extraction shall be subordinate to H.B. 1041.
- c. Design procedures which combine, where possible, all land use review procedures into a common process where review and decision-making can occur at one time.
- d. Develop the H.B. 1041 Process within the context of the existing comprehensive planning process and utilize H.B. 1041 to implement the Comprehensive Plan, where possible.
- e. Utilize State agency input as part of H.B. 1041 and also as additional parameters for revisions to the Comprehensive Plan.
- f. Where a Comprehensive Plan has not been initiated, utilize H.B. 1041 to start such a program; where a Comprehensive Plan has not been completed, use H.B. 1041 to facilitate completion; where a Comprehensive Plan has not been officially adopted, utilize H.B. 1041 to accomplish official recognition of the plan.

The appropriate philosophy and resulting strategies for a particular locality depend on many influencing factors which comprise the community context. It is not the intention here to analyze all the determinants, for it is not within the scope of the application nor is it practical at this time. What is of concern is the local planning-review-decision-making activity being conducted and at what level of sophistication or effectiveness this process exists.

Again, there are a variety of factors which determine the results of this process and the manner in which it is carried out. There are several Indicators which can lead to a comprehension of what is occurring in this realm at the local level, and these are directly related to and influenced by H.B. 1041. These Indicators are:

- A. The legislated land use regulations and controls that are in effect within the locality.
- B. The local agencies involved in physical planning and the relationship of those agencies to the existing governmental structure.
- C. The orientation of the planning effort and the products or results of that effort.
- D. The manner in which that effort is carried out and the operational programs implemented.
- E. The local individuals, agencies, groups, and organizations which have input into and receive assistance from the planning operation.

Indicator "A" gives an indication of the attitude of the local government as to land use regulations and the extent to which local government asserts itself into the developmental process. If there are few or no controls enforced, then various assumptions can be drawn -- not all applicable -- which can be verified through rudimentary investigation to determine what is happening at that locale. These could be:

- 1. The local public does not trust governmental controls.
- 2. The local decision makers are ineffective in passing regulations with public approval.
- 3. The local decision makers are unconcerned with land use and its implications or are unaware of the positive possibilities of regulation or the negative ramifications of uncontrolled development.

4. The planning-review-decision-making process is incomplete or non-existent.
5. If planning is occurring, it is either ineffectual or misdirected.
6. There are external circumstances such as slow or declining growth in the area, and it has been determined that in order to improve the conditions controls will be relaxed or eliminated.

Indicator "B" can relate to conditions which have to be substantiated and which can explain the selection of a certain approach or indicates problems with the planning-review-decision-making process, therefore indicating difficulties in implementing H.B. 1041. These possible conditions are:

1. There is no existing physical planning effort at the local level.
2. There are numerous agencies involved in planning which could occur at the city, county, and regional levels.
3. There are numerous agencies involved with little or no cooperation and coordination among them because of political reasons.
4. Physical planning is occurring, but it has little or no effect on the decision-making process because of several of the reasons listed under "A."
5. Planning is occurring and is a prime determinant in the review-decision-making stages for reasons which are almost opposite to those presented under "A."

Indicator "C" assumes that planning is occurring at the local level, but results will vary according to the context in which the effort is placed. Some of the conditions are the same as indicated under "B." The concern here is the orientation of that effort which may explain why there is adequate or inadequate input into the planning-review-decision-making process. The circumstances could be as follows:

1. The local planning effort is directed toward designated agency area of responsibility and therefore is not completely comprehensive in nature.
2. The local planning effort is oriented toward "current" alternatives and almost completely involved with immediate problems within its assigned area.

3. The local planning effort is oriented toward "advance" future alternatives which negate the immediate problems in stressing futuristic, and at times, unrelated circumstances.
4. The local planning effort is directed toward "plan" production versus "process" implementation or vice versa.
5. The local planning effort is academic in nature and deals on the philosophical level with local problems to the point that it is ineffectual and self-serving in intent.
6. The local planning effort is totally political in nature and not product-oriented but procedurally directed and totally self-serving in process.
7. The local planning effort deals with "advanced, intermediate, and current" aspects and attempts to be comprehensive in nature, thus being fully cognizant of existing local factors and effectual in operating within the local context.

The fourth Indicator "D" is reflective of the preceding three sets of conditions and deals with the programs that are utilized internally to achieve its intent. One of the best means of demonstration of this indicator, considering alternatives, is the agency's 701 Work Program and Completion Report if involved in the HUD 701 Program. The potential list of possibilities under this category is extensive and too involved to be completely dealt with here.

What can be considered is the number and type of general operating programs by broad categories. These relate to the set of controls and regulations enforced as in Indicator "A." If there is extensive land use regulation, or lack of it, then the operating programs will be reflective of this. This indicator will also be reflective of Indicator "C" in that the type of programs will identify the orientation of the agency. Briefly, the major considerations might include:

1. Review and Comment activity and internal staff and procedures assigned to such activity.
2. Subdivision Review activity and internal staff and procedures assigned to the program with developed means of externalizing program results.
3. Comprehensive Plan program with staff and procedures assigned which may include the 701 Program and a list of associated internal functions directed toward plan production, revision or implementation.

4. A-95 Review procedures and program activity allocating staff and operations for completion of such review.
5. A community development program with assigned staff and operations including procedures for implementation.
6. Water Quality Management Program either in operation or in application stages with staff and procedures allocated.
7. Local planning assistance on a variety of topics with staff, procedures, and sub-programs assigned by subject and client.
8. Special topics which may include all other efforts not listed which have staff, procedures and funds allocated by topic and client.

The last Indicator "E" is one of the best means of determining the effectualness of the planning-review-decision-making process operating at the local level. If it can be demonstrated that a substantial portion, if not all, of the community is involved in the process through interface with local groups, organizations and entities, then the process is probably effective and operating at a fairly involved and "sophisticated" level. It is difficult to ascertain the type and amount of interface occurring and the results of the contact. Considering, however, the relative number of contacts being made as compared to the number of forums available some estimation of the amount of citizen involvement can be made. Quality, it is admitted, may be more valid than quantity, but a trade-off may have to be made until sufficient investigation can determine the level of effectiveness that has been obtained. The possible considerations could be:

1. The number of groups, organizations, and entities included in the planning-review-decision-making process.
2. The frequency and length of interface with each of the included "persons."
3. The demonstration of the inclusion or opportunity for inclusion in the review-decision-making stages.
4. The number of inclusions based upon the total possible.
5. Demonstration of review and decision-making results which have been a product of the inclusion process.
6. Associated means of dissemination and feedback other than direct interface which could be achieved through published material or contact through other media sources.

7. Demonstration of established procedures for responding to requests for inclusion or interface by staff assignment or program operations.

This probe of local options has been based on the premise that certain factors can and will influence the approach and manner in which House Bill 1041 will be implemented. It is probable that all "persons" concerned have analyzed the possibilities. It is also probable that some determination has been made that it is impracticable to consider all possibilities when transmitting recommendations and reviewing applications. It may be assumed that each local government has made the appropriate selection of approach based upon its own context and that this context is realized externally.

This particular application does not make the aforementioned assumptions. Similarly, this application does not say that all factors have been considered and the results identified. It does, however, attempt to present the selection process undertaken and the extensive considerations made in developing the Pueblo Work Program. The scenario on "options" was developed for internal as well as external communication. By making involved individuals aware of the possible factors, the proposed program may achieve some degree of credibility and make it evident that the proposal was not a cursory undertaking.

Not all the factors listed exist nor do all the philosophies and alternatives prevail. However, some may be more advantageous to the local government than others. If the possibilities have not been considered at the local level as well as at the State level, some eventual problems and difficulties may not have been identified and therefore corrective measures may not have been undertaken.

From this analysis, the Pueblo Approach was developed. What it says is that some of the potentialities have been examined and that a rationalized and specified selection has been made. It must be understood that from all the options that could have been selected for whatever reasons, Pueblo has opted for the more difficult and in fact the more optimistic approach. The point is that Pueblo is demonstrating a commitment to make House Bill 1041 implementable. This will be evidenced in the subsequent sections.

IV. THE PUEBLO
APPROACH

The Pueblo philosophy concerning House Bill 1041 can best be summarized as follows:

House Bill 1041 can be a viable planning-review-decision-making mechanism for forming a basis for more responsive land use guidance and regulation by coordinating existing local programs in a manner which will provide the greatest benefit to Pueblo.

This statement of intent established the context in which Goal-Objective Sets were developed for House Bill 1041. These sets were based upon expressed, implied, and anticipated local desires as evidenced in Appendices D and E of this application. These sets are subject to modification as they are re-examined and finally adopted, and therefore they have been designated as "proposed."

SET I

Proposed Goal:

Provide for the inclusion of the H.B. 1041 Process into the current planning process and develop a multi-functional program with operations that not only satisfy the requirements of H.B. 1041, but also are usable in other existing and proposed programs.

Proposed Objectives:

1. The data collected for H.B. 1041 analysis and evaluation will be stored in the existing Data Bank in established format for efficient retrieval.
2. The analyses and evaluations performed under H.B. 1041 will be designed to be transferrable to differing programs using varying data.
3. All maps produced under the H.B. 1041 Program will be delineated on existing bases and will be produced in a form that is reusable in other programs.
4. Existing analyses and evaluations that have been completed or are in progress will be utilized, where applicable, in the H.B. 1041 Program.
5. Current Comprehensive Plan revisions will be analyzed in respect to H.B. 1041 requirements, and criteria and adjustments will be made where necessary to achieve compatibility.
6. The Mineral Extraction Plan required under House Bill 1529 will be consistent and coordinated with the Mineral Resource Areas identified under H.B. 1041 and will be considered a "local Matter of Interest."

7. Existing office expertise will be utilized to the extent possible to complete the H.B. 1041 Program and shifts in individual work assignments will be made where necessary. See Appendix A for a breakdown of office personnel.

SET II

Proposed Goal:

Provide for the utilization of the H.B. 1041 Process to clarify, strengthen and coordinate existing review procedures.

Proposed Objectives:

1. Revise the Subdivision Regulations and Zoning Resolution where necessary to make them consistent and compatible with House Bill 1041 requirements.
2. Incorporate House Bill 1041 considerations into the A-95 Review process.
3. Develop a Review Checklist which indicates by case and by Act, the legislated regulations which must be considered in a review of a land use development proposal.
4. Develop procedures which facilitate transferral of information to appropriate reviewing bodies and establish compatible mechanisms for presenting review recommendations.
5. Conduct a consolidated review of land use development proposals, when possible, to include the consideration of Zoning, Subdivision Regulations, Mineral Extraction, Special Permits, A-95 Reviews, and Matters of State Interest, where applicable.
6. Identification will provide the information base for all review concerning Matters of State Interest.

SET III

Proposed Goal:

Provide for the utilization of the H.B. 1041 Process to facilitate and consolidate land use decision-making where possible.

Proposed Objectives:

1. Conduct a common public hearing for land use decision-making considering, when applicable, Zoning, Subdivision Regulations, Mineral Extraction, Special Permits, A-95 Review, Section 208 of the Federal Water Pollution Control Act Amendments of 1972, and Matters of State Interest.

2. Require that all pertinent information and review recommendations concerning all involved legislation be presented at the common hearing.
3. Develop procedures whereby all concerned and involved individuals, groups, organizations, and agencies have the opportunity to review the case in question and input recommendations into the decision-making action.
4. Develop a Recommendation Summary which contains all review recommendations in a compatible format which indicates findings by individual legislated requirement as it relates to each case.
5. Separate procedures for Designation from those for Standardization to facilitate each and complete Identification, Designation, and Standardization before Permit-Issuance occurs.

SET IV

Proposed Goal:

Provide for appropriate citizen input into the H.B. 1041 Process from the Identification Stage through the Administration and Permit-Issuance Stages and post-development evaluation.

Proposed Objectives:

1. Utilize existing points of citizen contact to present, discuss, and obtain feedback on the implications of House Bill 1041.
2. Utilize the media to present the H.B. 1041 Process to as many citizens as possible which is to include existing publication efforts, radio interviews, television interviews and programs, and publication of a supplemental section in the local newspaper.
3. Locate and develop new forums for presentation and feedback activities which are to include addressing groups, organizations, and agencies not presently contacted with frequency, and producing workshops and seminars at civic centers on House Bill 1041.
4. Make printed material and access to involved staff available for all concerned individuals, groups, organizations, and agencies.

SET V

Proposed Goal:

Provide for continued and increasing cooperation between agencies and organizations at the local level and between local and State levels.

Proposed Objectives:

1. Work as closely as possible with the Area Advisor on H.B. 1041 from the Department of Local Affairs, and establish set periodic meeting dates.
2. Utilize the existing Technical Advisory Committees established for the City and County to review and input recommendations to review bodies and decision-makers on House Bill 1041.
3. Establish direct lines of communication between the local operating agency -- Pueblo Regional Planning Commission -- and the designated information officer for each State agency.
4. Submit a monthly progress report to the Colorado Land Use Commission demonstrating accomplishments and identifying needs.
5. Assist in the preparation of all necessary documents and exhibits for the City of Pueblo in application, programming, and implementation procedures for House Bill 1041.
6. Comply with the recommendations from the Land Use Commission on Identification, Designation, Standardization and Administration to the fullest extent possible.

These Goal-Objective Sets reflect the existing local planning-review-decision-making factors. The prime indicators previously identified were analyzed to determine the level of planning-review-decision-making activity occurring locally. The results are as follows.

A. The legislated land use regulations and controls in effect locally are:

1. City and County Zoning
2. City and County Building Permit Issuance
3. City and County Subdivision Review procedures
4. County Subdivision Regulations under Senate Bill 35
5. A-95 Review process for the Pueblo Area Council of Governments
6. Mineral Extraction Program for the City and County in progress in accordance with House Bill 1529 resulting in special use permit issuance
7. Flood plain zoning regulations and participation in the Flood Insurance Program nearly finalized in the City and underway in the County

8. Special Permit Review in conjunction with the State Department of Health conducted in the County in relation to Feedlot Permits
 9. Comprehensive Planning provided by the HUD 701 Program and Colorado Revised Statutes (1963)
 10. Community Development in operation for some time in the City and translation to the Housing and Community Development Act of 1974 in progress
 11. Water Quality Management provided by Section 208 of the Federal Water Pollution Control Act Amendments of 1972 in progress at the application completion stage
- B. The local agency involved in comprehensive planning and the relationship of the agency to local government is:

The Pueblo Regional Planning Commission is responsible for comprehensive planning for the Pueblo Area Council of Governments. The Commission's staff assists other local agencies and bodies in comprehensive planning for both the City and the County thus providing a centralized planning operation. The local governmental entities assisted are:

1. The Pueblo Area Council of Governments
2. The Pueblo City Council
3. The Pueblo Board of County Commissioners
4. The Pueblo Board of Water Works
5. The Pueblo School District 60
6. The Pueblo School District 70
7. The Pueblo Regional Planning Commission
8. The Pueblo Human Resources Commission
9. The Pueblo Development Commission
10. The City Planning and Zoning Commission
11. The City Zoning Board of Appeals
12. The County Planning Commission
13. The County Zoning Board of Appeals
14. The City Transportation Department
15. The City Public Works Department
16. The City Parks and Recreation Department
17. The City Zoning Office
18. The County Roads Department
19. The County Zoning Office
20. The Pueblo Area Transportation Study Technical Advisory Committee
21. The City Technical Advisory Committee for Planned Unit Development (PUD)

C. The orientation of the local planning effort and the results of that effort relate to A, B, D and E. The comprehensive planning effort addresses current, intermediate and advanced planning situations and attempts to deal with the broadest range of issues with the greatest amount of possible effect. The results are manifested in the products and activities of the Pueblo Regional Planning Commission which include the following:

1. Comprehensive Plan
2. Zoning Review and Comment Reports
3. Subdivision Review Reports
4. A-95 Review Assessments
5. COG Reports on Housing and Economic Activity
6. Idea Sketches
7. Pueblo Design Quarterly
8. Annexation Reports
9. Grant Applications
10. Legislation Evaluation Reports
11. Technical Papers
12. Special Topic Studies
13. Design Proposals
14. Census Data Sheets
15. Zoning Amendment Proposals
16. Subdivision Regulation Amendment Proposals
17. Pre-review Assistance to Developers
18. Base and Reference Maps
19. Staff Assistance to Individuals, Groups, Organizations, Agencies and Commissions

D. The operational programs and planning operations include the following:

1. Comprehensive Plan Revisions Program
2. Central Business District Revitalization Program
3. Minnequa Business District Revitalization Program
4. Community Development Program
5. Beulah Valley Organization Program
6. Economic Activity Analysis Program
7. Section 208 of the Federal Water Pollution Control Act Amendments of 1972
8. HUD 701 Comprehensive Planning Program
9. House Bill 1041 Program
10. House Bill 1529 Program
11. Local Planning Assistance Program
12. Review and Comment Operations
13. Information Dissemination Program
14. Housing Analysis Program
15. Parks and Open Space Comprehensive Planning Program

16. School - Park - Bureau of Outdoor Recreation Program
17. Graphic Production Assistance Operations
18. Zoning Resolution Revision Operations
19. Subdivision Amendment Regulations Operation
20. Base Map Revision Operation
21. Assessed Valuation Analysis

Each of the above programs or operations has a staff individual assigned to it, is allocated funds, and has set product assignments. There are numerous special topic studies which occur from time to time with the duration of activity varying from study to study. What has been presented is a list of the major planning activities presently occurring and is representative of the type of effort undertaken.

- E. The local groups and organizations which have input into the planning effort and receive staff assistance are as follows:

1. Downtown Master Action Committee
2. Pueblo Area Transportation Study Technical Committee
3. Community Organization Outreach of Pueblo
4. Pueblo Area Council of Governments Housing Committee
5. City Council Housing Committee
6. Minnequa Businessmen's Task Force
7. Pueblo Beautiful Association
8. Fountain-Arkansas River Planning Committee
9. Beulah Valley Steering Committee
10. District 70 Citizens' Committee
11. House Bill 1529 Advisory Committee
12. City-County Consolidation Task Force
13. Pueblo Arts Council
14. St. Charles Mesa Water Association
15. Pueblo West Metropolitan District
16. Colorado City Water and Sanitation District
17. Avondale Water and Sanitation District
18. Blende Sanitation District
19. Salt Creek Sanitation District
20. Arts and Culture Task Force
21. Chicano Planning Council
22. National Association for the Advancement of Colored People
23. Trail Users Council of Colorado, Inc.
24. Long-Range Planning Task Force
25. Tourist Task Force
26. Convention and Visitors Task Force

The type and amount of assistance varies from organization to organization, depending upon the needs at a particular point in time. This is a representative listing of organizations with which the staff has a substantial amount of contact and does not include all points of citizen and public interface.

This section of the application has been presented to demonstrate the local intent for utilization of House Bill 1041. The factors determining the relationship of the process to the existing level of planning-review-decision-making have been indicated.

It is apparent that House Bill 1041 should not be considered a separate process within the Pueblo context. There are numerous existing programs and activities being conducted which directly relate to and are influenced by H.B. 1041.

It is within this milieu that H.B. 1041 should be implemented in the manner prescribed by the Goal-Objective Sets.

Considering the alternatives available and the selected approach, it is evident that the proposed implementation process for Pueblo will be similar in some respects to other local governmental processes under H.B. 1041.

Due to the Pueblo level of planning-review-decision-making and because there is a need to coordinate and, if possible, consolidate many of the segregated procedures that are presently in operation, House Bill 1041 presents an opportunity to solidify many planning-review-decision-making procedures due to the matters involved and the administrative requirements of the Bill.

V. PROPOSED
IMPLEMENTA-
TION
PROCESS:

To understand the process which will be instituted in Pueblo, one must realize that there are four main points which are unique to this proposal which must be borne in mind.

- First - H.B. 1041 is designed to be integrated with other planning functions.
- Second - There are differences in the method by which an Area and an Activity are analyzed and evaluated within the process.
- Third - A total reliance on mapping alone is inadequate.
- Fourth - There are specific and distinct functions performed by each of the four parts or "Stages" involved in the H.B. 1041 Process which are:
 - Identification
 - Designation
 - Standardization
 - Administration

Because it is being assumed that the Proposed Implementation Process is a modification of current recommendations by the State, the H.B. 1041 Implementation Process being proposed will be termed the IDSA for the purposes of convenience.

As stated, the first main point is the aspect of integrating the IDSA which is the coordination, combination and consolidation of H.B. 1041 with existing land use regulatory legislation. This is the main thrust of the Goal-Objective Sets. It is impossible to achieve the legislative intent without creating a situation in which the various land use regulatory mechanisms operate in a compatible manner. This need has also been demonstrated by the level of planning-review-decision-making occurring within the local community. To overlay another separated or segregated set of regulations and procedures on the numerous programs and interactions now occurring would be inappropriate and inefficient.

There are numerous points in the Process where this integration must occur. The obvious relationships exist among the following:

- Senate Bill 35
- Zoning
- House Bill 1529
- Building Permit Issuance

The more subtle, yet equally as important, interactions occur with:

- HUD 701 Comprehensive Planning Program

A-95 Review Process
Water Quality Management - Section 208 of the Federal
Water Pollution Control Act Amendments of 1972
Housing and Community Development Act of 1974
Special Permit Review Process

To inject H.B. 1041 into this collection as another separate procedure will only add more bureaucratic red tape and developmental time delays which result in costs both to the public and private sectors. H.B. 1041 must begin to bring these disassociated processes together. The four Stages of the Implementation Process can form the basis for this consolidation by addressing as many of the existing processes as possible. Where H.B. 1041 cannot directly coagulate these processes, the authority House Bill 1034 can be utilized to locally complete the endeavor.

The integration occurs initially during the Identification Stage and continues through the Designation, Standardization and Administration Stages. The point of integration is to perform the planning-review-decision-making process in a manner which satisfies as many legislative requirements as possible at one time (See Appendix E). This includes:

1. Collecting data for H.B. 1041 analysis which is required under Senate Bill 35, House Bill 1529, Zoning, A-95 Review and Special Permit Review.
2. Performing analysis of that data which results in meeting required considerations under Senate Bill 35, House Bill 1529, Zoning, A-95 Review and Special Permit Review (SPR).
3. Mapping information for H.B. 1041 which delineates that information in sufficient detail and accuracy to form a compatible basis which can be applied to programs under other legislative processes.
4. Developing review procedures which include the consideration of all pertinent requirements at the time of review.
5. Developing presentation and communication mechanisms which demonstrate the relationship of all pertinent requirements and the degree of conformity to each.
6. Establishing decision-making procedures which facilitate the inclusion of considerations of related legislative requirements including House Bill 1041, Senate Bill 35, Zoning, House Bill 1529, A-95 Review and Special Permit Review.

7. Developing an H.B. 1041 Implementation Process which strengthens, complements, coordinates and rectifies deficiencies in all related land use regulatory processes.

As the four Stages of Identification, Designation, Standardization and Administration are discussed, the implications of integration will become clear.

Area/Activity
Discrepancies
in the IDSA
Process:

The second main point is the difference in dealing with Area of State Interest versus an Activity of State Interest. Area is defined by Webster as "a level surface or piece of ground; a part of the earth's surface; region; tract..." Activity is defined as "...a specific deed, action, function; an active movement or operation..."

An Area is a portion of the earth that is definable by geographic location, physical limits and physical characteristics. An Activity is the performance of a function or operation to achieve, in this context, a desired result.

Areas are tangible, locatable and mappable in most cases. For three of the Areas, i.e., Mineral Resource Areas, Natural Hazard Areas and Historical Archaeological and Natural Resource Areas, the physical characteristics are pre-existing, and identification is essentially a matter of locating, setting limits, and describing those characteristics. The fourth Area, i.e., Area around a Key Facility, has some associated difficulties concerning the definition of the area of influence and setting geographical limits.

Activities involve some form of processing of variables and determining results. As specified in the Bill, Activities deal with the "site selection and development or construction" of physical structures and "utilization and conduct" of an action. An Activity may not be pre-existing and may not be relevant until some future time when it is determined that the Activity should be undertaken. Therefore, identification of an Activity is not necessarily the location, limitation and description of existing characteristics.

Generally, when dealing with an Area, a broad geographic area is involved. When dealing with an Activity, the concern focuses on a specific site.

Areas have long-term time scales involved in their consideration. That is, a Natural Hazard Area will exist until some major influence occurs such as an earthquake or constructing a dam on a river. Activities involve short-term time scales. To select a site and construct something on it may normally take only two years. Once the product exists, say a major

water line extension, it falls out of the realm of an Activity and is not included in an Area as defined. Therefore, the probable future impacts should be considered prior to development.

It is a less difficult task to design a Work Program that deals with the Identification of existing conditions than to develop a program which can identify possible future actions. The Work Program however must be capable of doing both. By the implications of future times and the realization that even Areas are not permanent, it becomes obvious that identification is not terminal in nature; and in fact, the H.B. 1041 Process will have to become a continual, permanent part of the planning-review-decision-making process.

The Mapping
Product:

The third main point is the inadequacy of relying on mapping as the vehicle for and product of the Work Program, and in particular, Identification. It has hopefully been demonstrated that Activities are not necessarily readily mappable. The anticipated result and eventual product can be mapped, but the action itself and the completion of that action cannot, especially if the action is not occurring.

The aspect of justifying the existence of a Matter of State Interest raises questions in relation to mapping. Does a Matter of State Interest exist because a large-scale map has been produced which delineates, to some degree of accuracy, the location of a set of conditions or physical characteristics indicating that it does? How can a map be translated into specific regulations for Standardization? Is a map a fair representation of all that has to be taken into account to Identify and Designate? How suitable is a large-scale map in determining whether or not a specific site is within an Area of State Interest, especially if that site comprises one-fourth acre?

A map does not lend itself to data analysis and evaluation on a quantifiable basis. Considering the Proposed Objectives presented previously, the output of just a map product does not comply with multi-use criteria nor the requirement for integration into existing programs and procedures. This is not to say that mapping is not useful and in some cases necessary or that mapping is not compatible with existing practices. This does say that mapping alone is insufficient and not directly translatable to other programs which require quantified analysis.

The mapping that will be accomplished under the current efforts in Identification will provide descriptive indicators as to what land area is involved and the location in relation to existing land uses. Again, this is viable for Areas and Activities that are initiated.

Specific analysis of Matters of State Interest requires the input of data and finite components. As it will be advocated in the next section of this document, Identification is substantially more than preparation of a map at a scale of 1:24,000 or 1 inch equals 2,000 feet.

The IDSA Process -
Four Distinct
Functions:

The fourth main point was introduced in the Definitions, pages 5-7, in that the IDSA Process calls for Four Stages instead of the recommended Three-Part Process. In the Bill [Part 4 - Designation of Matters of State Interest, Guidelines for Administration] development of guidelines and regulations under Section 106-7-402 are included with the description of Designation. The State Entities have been discussing and recommending the Bill in terms of a Three-Part Process - Identification, Designation, and Administration. To adequately and realistically implement H.B. 1041 in Pueblo, it has been determined that a Four-Part Process will be more effective. Each Stage has a specific function and anticipated result for reasons of efficiency and ease of implementation. To place the development of regulations for Administration in the Designation function makes difficult demands of the Designation Stage and could impede the Process; thus, the proposed Process of Identification, Designation, Standardization, and Administration.

Identification:

Identification is the basis on which the three subsequent Stages are completed. As previously stated, Identification is the determination of the existence of a Potential Matter of State Interest within the Boundaries of the Local Jurisdiction. Again, as stated in the preceding text, Identification is more than the operation of mapping Potential Matters.

Identification must answer some basic questions in a somewhat difficult manner. The questions are:

1. Does a Matter potentially exist?
2. Why does it potentially exist?
3. Where does it exist?

Identification must also address considerations involved in Designation, Standardization and Administration. Some of the related questions are:

4. How many people are presently affected by the Potential Matter?
5. How much land, with what types of uses, is involved in the Potential Matter?

6. What is the past, present and potential future frequency and duration of occurrence?
7. What are the reasons for the existence of the Potential Matter, the source or cause and the suitability and capability for local regulation?
8. What are the interrelationships between the Potential Matter existing local conditions and the possible externalities associated with the development or conduct of the Matter?
9. What are the past, present and foreseeable future development pressures associated with the Potential Matter?
10. How much local effort will be required to adequately analyze and evaluate the Potential Matter?
11. What are the alternatives or ramifications if the Potential Matter is not Designated?
12. What related legislative regulations are involved in the Potential Matter?
13. In what order should the Matters be considered, i.e., priority ranking?

This is an expanded view of Identification compared to the current recommendations from the State. The reasons have been previously given: the Program must be integrated, and Identification is the foundation of the Program. When Identification is completed, the following three Stages should be accomplished with the least amount of difficulty possible.

Identification is the data collection analysis and evaluation Stage. The results of this Stage are the reasons for Designation. The case is substantiated during this initial operation and considered at the next Stage - Designation.

The State technical and financial assistance is assigned to Identification and Designation. The greatest amount of assistance and input is required during Identification, and the greatest amount of local effort and production should occur during this Stage.

There are immediate translations and transferrals of Identification results to other programs. The Identified Potential Matter may become part of the physical constraint portion of the Comprehensive Plan or indicate where revisions in the existing plan should occur because of the potential for physical problems. Information derived from Identification is available for reviews under Senate Bill 35 and House Bill 1529 as well as the A-95 Review and Special Permit Review.

Activity Identification indicates where public projects may have to be initiated and appropriate budget allocations can be programmed. Area Identification can signify locations where proposals, subdivisions and public construction projects will require special consideration. Identification can assist in determining the appropriateness of a zone change request or issuance of a Special Use Permit.

There are numerous uses of the results of Identification besides H.B. 1041. Identification should therefore be given a great amount of consideration.

Designation:

Designation is the next Stage in the Process. If Identification has been completed to the degree proposed, Designation becomes the point where a Matter is officially recognized as existing. All the information necessary to make a rational decision on the existence of a Matter should be available at that time. Then Designation involves holding a public hearing to receive citizen opinion and present the reasons for Designation to the public. There is no need to implement a long and involved procedure for this Stage if the groundwork has been accomplished. The aspect of deciding upon regulations at this time is inappropriate. The concern is that the local government realize a Matter exists and that official action be taken to demonstrate this recognition. If there is reason for Designation, then it should occur regardless of what the eventual regulations for the Matter will be. It seems inappropriate to create a situation where it can be demonstrated that a Matter exists, but it is not recognized because of problems with the regulations for Administration. Before one can deal with a problem, that problem must be recognized and defined. It is defined through Identification and recognized at Designation.

Standardization:

As noted in the Definitions and the preceding statement on the IDSA, Standardization is the process of developing regulations and guidelines for Administration. This Stage involves significant implications and may include extensive examination of proposals. It is conceivable that this Stage may take a separate set of procedures and an individual sequence. Standardization then becomes another decision point in the Process.

The major activities involved in this Stage are:

1. Receiving and reviewing the recommended standards for development prepared by the State agencies and accepting them as transmitted or modifying them to make the standards more restrictive.

2. Reviewing the information obtained during Identification to assure that the standards for the development or conduct of a Matter have taken all impacts and ramifications into account.
3. Conducting a public hearing to receive citizen input and to make the public aware of what is involved and the implications of the adoption of the standards.
4. Transferring all pertinent material and modifications to the State for their review and comments and receiving any suggested changes in the proposed standards.
5. Officially adopting regulations governing the development or conduct of a Matter of State Interest.

Questions that must be answered at this Stage are:

1. Do the proposed regulations meet the criteria for Administration as established in the Bill?
2. Do the regulations mitigate or compensate for any externalities that may occur if the Matter is developed or conducted?
3. Can the standards be enforced, and how will they be enforced?
4. How do these standards relate to requirements under Senate Bill 35, House Bill 1529, Section 208 and A-95 Review?
5. What will it cost the individual citizen to meet the standards, and is this cost reasonable?
6. Are these standards compatible with the existing building code, and if not, what portions of the code must be changed?
7. What aspects address public responsibility and create governmental costs, and how much are these costs?

Administration:

Administration is the final Stage in the Process which involves the sanctioning or disallowance of development or conduct of a Matter of State Interest. This Stage must involve the consideration of all the findings from the previous three Stages and the determination of the appropriateness of an application in light of the possible impacts and the amount of effort required to comply with the standards. The operations included in this Stage are:

1. Receiving applications for permit to develop or conduct a Matter of State Interest.

2. Conducting a public hearing to provide for citizen input and to make the public aware of the implications of the action.
3. Determining if the applicant can comply with the standards adopted for the Matter and if all other legislative requirements are met.
4. Issuing or denying a permit for development or conducting of a Matter of State Interest based upon the finding of facts.
5. Maintaining a permanent record of all testimony, exhibits presented, procedures followed, actions taken and reasons for the actions.

There is one aspect of Administration which is included in the Bill under Section 106-7-501(2) subparagraph (b). This paragraph contains stipulations whereby if a permit is requested to develop or conduct a Matter which has not been previously Designated and for which there are no adopted regulations, the "local government may hold one public hearing for determination of Designation and guidelines and granting or denying the permit."

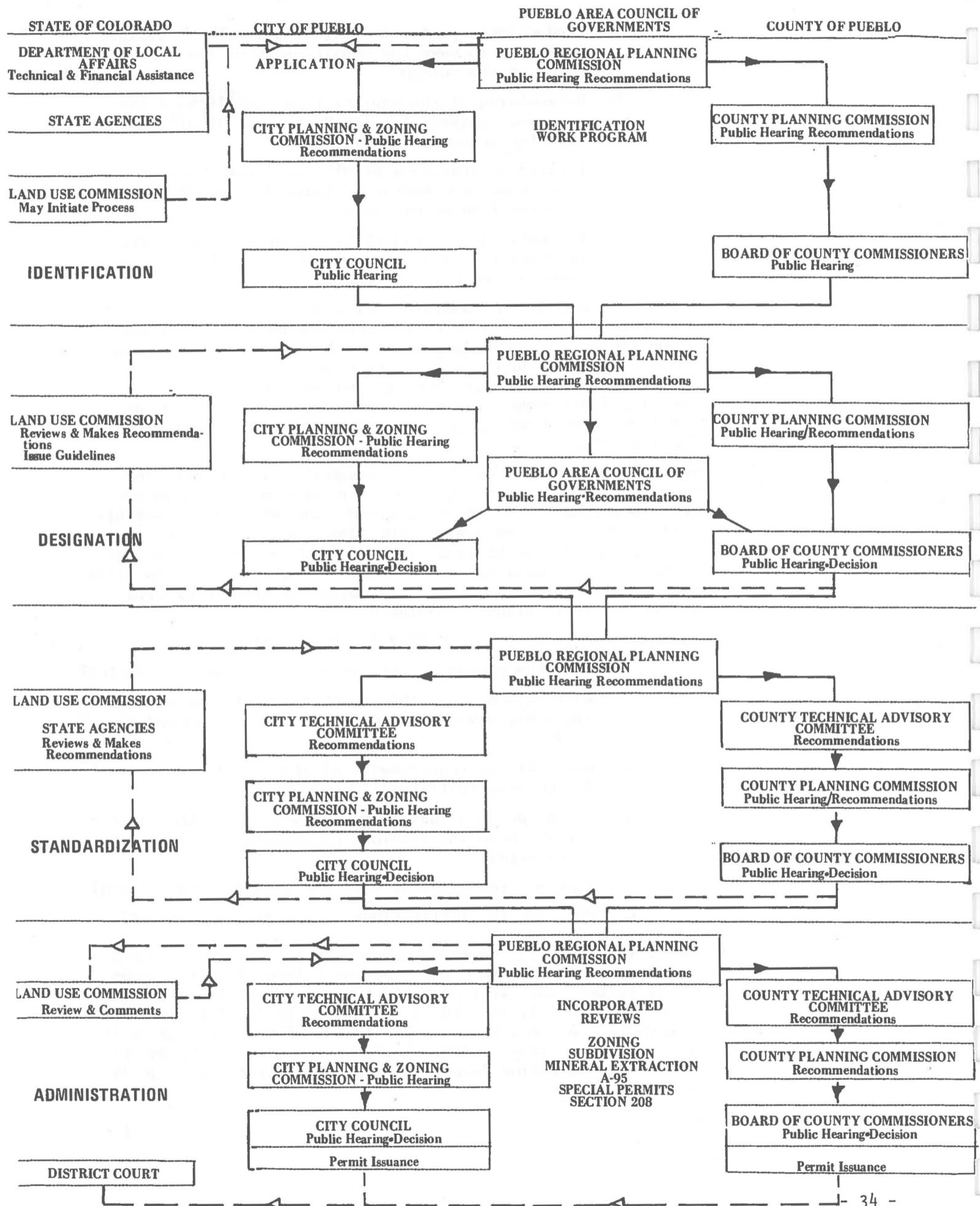
Because of the word "may," it is assumed that the local government has the option but is not required to proceed in the described manner. It is anticipated that this action probably will not be taken and that at the time a person submits his application, it can be readily determined that the Matter has or has not been Designated. If not, then the Designation Stage should be initiated and the Standardization Stage completed before the application is reviewed.

Questions which must be answered at Administration are:

1. Will the proposal meet the standards for that Matter?
2. What assurance is there that the applicant will complete his development or conduct in the agreed manner?
3. Have all the requirements of other pertinent legislation been fulfilled?
4. If the proposal has been reviewed under other legislation, have all previous recommendations been complied with?
5. What are the alternatives if a permit is not issued?
6. What are the implications if a permit is granted?

The following is the Proposed House Bill 1041 IDSA Implementation Process for Pueblo. The flow chart identifies the steps in the Process that will probably be required in order to incorporate H.B. 1041 into the existing review-decision-making procedures. Of importance is the number of hearings that will occur with each Stage. This should be compared to the Interpreted Implementation Process flow chart presented on page 34 of this report.

HOUSE BILL 1041 IDSA IMPLEMENTATION PROCESS



VI. WORK PROGRAM
FOR
IDENTIFICATION

The purpose of the Identification Work Program is to specify what steps will be taken in what sequence to adequately locate and describe potential Matters of State Interest so that Designation, Standardization, and Administration can be completed. The specific points that will be addressed have been listed in the Identification of the IDSA Process Section of this document in the form of 13 questions. Essentially, then, the Identification Work Program will answer these questions through various analytical techniques and output the results in one of the three formats required, which are:

1. Description mapping at scales of 1" = 4000'
and 1" = 2000'
2. Narrative text
3. Quantitative terms

Each of the questions will be answered in terms of each of the Matters of State Interest.

There are two values that must be derived in answering each question. The first is the direct response to the question, that, if an absolute number X is required then X must be found. The second value is in response to the last question regarding priority ranking. To be able to compare each of the thirteen Matters, some value must be assigned to each and this is the second quantity to be derived. It is obvious that the answer to Question 4 -- number of people affected -- does not directly relate to the answer to Question 12 -- related legislative requirements. The deviation of the second value is a means of attempting to relate each question so that a total quantity for each Matter can be obtained and compared.

Question 1: *Does a Matter potentially exist?*

The answer to this Question requires the performance of a Fit/Misfit Analysis where a set of criteria is established and possibilities are compared to the criteria and a determination is made whether the criteria is met or it is not -- Fit/Misfit. This type of analysis can become quite involved if the assumption is made that there is not an exclusive criteria available and that a possibility is almost a complete Fit or almost a complete Misfit. Therefore, it is possible to work in terms of "degree of Fit." For the most part, this program will assume that the product of the analysis is either a Yes or a No. This requirement places demands upon the criteria which may be difficult to fulfill and unrealistic to request. If this possibility persists, then parameters for Fit and Misfit will be developed.

It should be noted that in determining whether a Matter potentially exists or not, the method proposed to address this issue simultaneously answers Question 2 -- why -- and this should be kept in mind.

The criteria components are exemplified by Section 106-7-103 (21), ... "The term (wildfire hazard) includes but is not limited to:

- a. Slope and aspect;
- b. Wildfire behavior characteristics; and
- c. Existing vegetation types."

The criteria components are slope, aspect, behavior characteristics, and vegetation types. Once the components are quantified, possible like existing conditions can be compared to them. If the criteria components and existing conditions are the same (a Fit), then the Matter potentially exists.

If the criteria components are:	and the possible existing conditions are:
slope <u>X% to Y%</u>	slope <u>X% to Y%</u>
aspect <u>Q direction</u>	aspect <u>Q direction</u>
vegetation types <u>1, 2, 3, 4 and 5</u>	vegetation types <u>1, 2, 4</u>
behavior characteristics <u>A, B, C, D</u>	and some aspects of behavior are possible <u>A and C</u>

The results can be mapped, described in text form and quantified. Again, in this example it can be seen that not every criteria component is reflected in existing conditions and probably the parameters of two or more vegetation types and two or more characteristic similarities must be established. It is possible that the criteria could be broadened to eliminate this type of situation; however, the more precise the criteria, the more valid the analysis.

Question 2: *Why does the Matter exist?*

The answer to Question 2 can be justified in fairly strict and substantial terms, and the rationality of "because it's shown on the map," or "because someone said so" is not required. This is important because this Question of why will probably be the key question raised during Designation.

The second requirement of determining a relatable value can be simply the assigning of a value for a Matter that potentially exists, say 5, and for one that does not exist, 0.

Question 3: *Where does the Matter exist?*

This answer too can be found from translating the Fit/Misfit Analysis to map form or by locating all existing conditions that fit the criteria by coordinates and producing a composite. This can be likened to the McHarg over-lay method. A description can be derived which will indicate where a Matter potentially exists by stating that when certain conditions are prevalent, the potential is there. It should be re-emphasized here that a Matter officially exists only after it has been Designated.

The derivation of a reliable value is difficult for this Question because there is no directly quantifiable result. A system can be developed whereby the proximity of a Matter to an existing urbanized area or area under intense development pressure could be used as the indicator. For example, the Matter may include an urbanizing area of X population and therefore be assigned a value of X/1 or it could be five miles from the urbanizing area and receive a value of X/5. At this time, it is assumed that the remaining questions will provide for sufficient reliable values to establish priorities so that a value is not required of Question 3. This type of analysis relates more directly to Questions 4, 8 and 9.

Question 4: *How many people are presently affected by the Potential Matter?*

The location of the Potential Matter in relation to the existing residential areas will provide an indication of the affected population. This should be based upon the number of directly affected residential dwelling units which is calculated from the Existing Land Use Map. This assumes that the Matters are adequately defined and located and that the number and type of units and their locations are also known. Some sections of the Land Use Map will probably have to be updated and the mapping must be at a compatible scale which may involve translation of information onto identical bases.

To derive a reliable value, a rating system is established which equates affected population percentages into one-digit integers. The percentages are based upon present total population for the Standard Metropolitan Statistical Area (SMSA). For example:

100% to 70% = 5
69% to 50% = 4
49% to 30% = 3
29% to 15% = 2
14% to 0% = 1

Therefore, the results of this analysis will be a quantity, i.e., the number of people affected, and a descriptive map identifying the location of the populations.

Question 5: *How much land, with what type of uses, is involved in the Potential Matter?*

This analysis requires land area calculations based upon location and a comparison to the Existing Land Use Map.

Some assumptions again are made in relation to the accuracy of both the location determination and the Existing Land Use Map. Scale may be a problem and some translation to standard bases may be required and updating required.

This answer will lead to an indication of the relative importance of the Potential Matter and some considerations that will have to be made in relation to the impacts that are possible and the possible results of Designation.

A percentage relationship can be established as in Question 4 where the amount of land affected as a percentage of the total land area within the local jurisdiction is equated to a singular value.

100% to 80% = 5
79% to 60% = 4
59% to 40% = 3
39% to 20% = 2
19% to 0% = 1

It should be noted that the above scale has a different percentile-range breakdown than the one previously used. Percent of the total land area affected is not as critical as that of the percent of total population. Therefore, the assumption made in Question 4 is that anything that affects 7/10 of the total population is critical, whereas the same impact on 70% of total land area may not be as significant.

To relate the types of uses affected may be more involved than the usefulness of the product. The aspects of this relationship are addressed in more detail and accuracy in Question 8.

Question 6: *What is the past, present and potential future frequency and duration of occurrence?*

This question deals with how often the Matter exists and for what length of time. This becomes important when dealing with Natural Hazards and Mineral Resources and most of the Activities of State Interest.

The Hazard criteria may be present until the Hazard occurs such as for Wildfire. On the other hand, the conditions may not necessarily change, but the frequency of the Hazard is variable and its duration of effect variable. For example, Flood Hazard may exist for the 100-year flood level and it must be determined when that will most likely occur and for how long it will be in existence, i.e., the time the water reaches flood stage until it subsides to safe levels. An analysis of this type can lead to some probability results which may not be a direct land use factor but will be a general indicator of potential difficulties and a warning signal to potential developers. Some of the Matters are less subject to effects in relation to time differentials and are assumed permanent until some major catastrophic occurrence. An example would be Soil Hazards where, unless the soil in question were removed or displaced, the Hazard Area involved would remain relatively constant in terms of frequency and duration. The analyses involved with this issue have not been totally developed, especially concerning Activities. A New Community may not be completely developed for 10 to 15 years and there are many variables which affect its completion and the extent of its effect. This question requires substantial assumptions to be made, and therefore the accuracy of the results may be subject to question. There will be variations within each Matter, as evidenced, which impair complete evaluation and relationship determination. Considerations must be made in relation to frequency and duration when considering Designation, Standardization, and Administration.

An indication of the ramifications are related to Questions 7, 8, 9, 10, and 11.

Possibly some general indicators can be developed and equated to some values which can describe the relative importance by Matter. An example would be:

High Frequency and Long Duration = 9
High Frequency and Medium Duration = 8
High Frequency and Short Duration = 7
Medium Frequency and Long Duration = 6
Medium Frequency and Medium Duration = 5
Medium Frequency and Short Duration = 4
Low Frequency and Long Duration = 3
Low Frequency and Medium Duration = 2
Low Frequency and Short Duration = 1

Question 7: *What are the reasons for the existence of the Potential Matter -- the source or cause -- and the suitability and capability for local regulation?*

The question relates the cause of the Matter -- natural or man-made -- and whether this Matter can be regulated based upon local capabilities. The analyses performed in the previous question and those performed in the following one will lead to some of the answers required.

Some of the Matters are a direct result of human action and therefore are more suitable to regulation given appropriate controlling mechanisms. Activities of State Interest are predicated upon human action and therefore lend themselves more readily to control than do Areas of State Interest which relate to natural occurrences.

Two of the Areas and a portion of the third more directly relate to natural occurrences and are more difficult to control. Even though the result of H.B. 1041 will be the regulation of land use development activity, there is no realistic means of regulating all floods or wildfires. The opposite for the Activities, to an extent, seems probable and even though the results of Activities are difficult to determine, they lend themselves to meeting predetermined parameters.

Therefore, some relative comparisons can be made based upon the source of the Matter and the ability of the local government to regulate and control it.

Natural, unsuitable for control = 5
Natural, suitable for control = 4
Man-made, unsuitable for control = 3
Man-made, suitable for control = 2

It is assumed, not facetiously, that none of the Matters are readily subject to regulation so that a relative rating of 1 is not applicable. Again, the accuracy of deriving a value is somewhat questionable, but it is a prime consideration for Designation, Standardization, and Administration, and the implications must be examined to whatever degree possible.

Question 8:

What are the interrelationships between the Potential Matters and existing local conditions and the possible externalities associated with the development or conduct of the Matter?

The answers to all of the above questions may provide the results needed to address the issue of cause-effect. It is really Question 8 that directly relates to House Bill 1041 and it may be so involved and complicated in its required method of analysis that it will remain unanswered. What may lead to some conclusion is a complete Environmental Impact Assessment by Matter and by Development Project. This seems unrealistic and impracticable to consider at this time, although

other states require such Assessments from private developers. It is possible to relate an impact statement to each Matter. This would require the analysis of each component of a Matter and provide an evaluation of potential impacts based upon possible types of developmental actions. Some broad assumptions can be made concerning each Matter and results can be anticipated based upon the requirements of specific development proposals.

An attempt should be made to address the issue of impacts and potential externalities, and regardless of how general the method, if the analyses are consistent, some valid indications of effect can be obtained. A good deal of the allowable impact results will be produced by the development of regulations for Administration - Standardization. These can be related to individual components and parameters can be set. These will be utilized in determining the appropriateness of any proposed development or conduct of a Matter of State Interest. The product from this effort will be a narrative discussion of the impacts or, more usable, a matrix demonstrating the possible relationships. Either of the following two directions can be taken:

One: The components included are extensive and as the Program is evolved, only key components will be evaluated.

Two: The list of components will be small and as the Program evolves, the number of considerations will be expanded.

The direction finally chosen will depend upon many of the considerations discussed in the Section of "Options for Local Governmental Implementation of H.B. 1041."

An example of what the results may be is:

Matter I	Action	Compaction	Removal	Additional Fill
Component:				
Soil: X		5	3	4

With 5 indicating a high resulting negative input and 3 moderate.

This is rudimentary and some of the results are intuitively assumed. When all components are analyzed, however, the list becomes extensive and the impacts more difficult to ascertain. For example, the Bill states that a consideration for Administration of Areas Around a Key Facility is to "preserve desirable existing community patterns." What are the components and determinants involved? What are the parameters for "desirable"? What are the impacts associated with the development of the Area Around a Key Facility?

The consideration is certainly viable, but to anticipate the externalities in "desirable existing community patterns" will be difficult and possibly presumptive.

It is necessary to at least attempt to analyze the possible impacts because the results will direct the formulation of Standards and regulations. In fact, the regulations should be for the purpose of mitigating and, at the least, compensating for possible negative impacts.

A relative value could be assigned according to the values derived by Matter as a total impact quantity. Generally these could be related as follows:

Non-mitigable minimally compensable = 5
Difficult to mitigate, compensation possible = 4
Probable mitigation, definite compensation possible = 3
Definite mitigation, compensation automatic = 2
Automatic mitigation = 1

Question 9:

What are the past, present, and foreseeable development pressures associated with the Potential Matter?

This, obviously, was taken from the Bill as one of the prime considerations required for Designation. This question requires an historical analysis and evaluation of where the development has occurred in the past and location and determination of where and why it is presently occurring and possibly where and why it will continue to occur for some extended period of time.

Some basic considerations or indicators could be:

1. Type of development pressure -- industrial; commercial; residential; other
2. Location of past and current development by type
3. The local conditions affecting the development:
 - a. employment opportunities
 - b. local labor force

- c. community services available by type
- d. land prices
- e. local taxes and rates
- f. local market, available options
- g. local amenities -- natural and man-made

4. Local population characteristics

From this basic information, projections can be made from the present up to five and possibly ten years. Included is a projection for each consideration made in evaluating existing and past conditions. Some new factors will be difficult to evaluate as in the case of Pueblo where the Pueblo Reservoir will have an anticipated but unsubstantiated effect on development pressures. The possible effects of this one facility will take an extensive evaluation and a substantial amount of time and effort.

To derive a relatable quantity, a value can be assigned each level of relative levels of development pressure. Elementarily:

Extreme = 5
High = 4
Moderate = 3
Low = 2
None = 1

Question 10: *How much local effort will be required to analyze and evaluate adequately the Potential Matter?*

The answers to the previous questions provide an indication of what is involved in analyzing each Matter. To help set priorities, a consideration of how much time, effort and money to be allocated by Matter will be required. At this point it is difficult to assign values to each Matter, because first, it has not been proven that all Matters potentially exist within this jurisdiction. Second, it is not clear exactly how much information on each Matter will be provided by the State agencies nor in what form it will be transmitted.

A prime indication of how to rate each Matter is the answer to Question 7. As per that discussion, the quality of the Matter will determine how much effort will be involved.

Another indicator is the result of the analyses for Question 8. If there are extensive impacts associated with the Matter, then it follows that adequate evaluation to determine local effect will be extensive.

These types of answers are what the Work Program should provide in the Budget breakdown by operation and Matter. Several major expenditure items have been identified and money allocated accordingly. At this point to attempt to make judgments on how much staff time and funds should be allocated by Matter would be premature and probably non-substantive.

Some assumptions have been made, however, for the purposes of administrative programming and application preparation (See Appendix F).

It has been determined that because of all the implications possibly involved with certain Matters and due to the potential extent of Impacts resulting from the existing and proposed land use development activities, three Matters have been determined to be of extreme importance and to involve extensive analytical operations. They are:

1. *Mineral Resource Areas - House Bill 1529*
2. *Natural Resource Area - the Pueblo Reservoir*
3. *New Communities - several large developments are pending*

These three will probably receive the highest rating and are priorities for in-house evaluations when time and money permit. It is anticipated that a supplemental request will be presented from this office to demonstrate the need of supplemental assistance. This supplemental program is too extensive to be included at this time but it does directly relate to the Identification Work Program.

The relatable value for Priority Ranking will be derived from a broad classification and accomplished for the purpose of addressing Question 13.

Extensive = 5
Substantial = 4
Moderate = 3
Minimal = 2

Question 11:

What are the alternatives or ramifications if the Potential Matter is not Designated?

Again, the following comes from the Bill and is a specified consideration for Designation: "State reasons why the particular area or activity is of State Interest, the dangers that would result from uncontrolled development of any such area or uncontrolled conduct of such activity, and the advantages of development of such area or conduct of such activity in a coordinated manner." [106-7-401 (2)(b).]

This question utilizes the results of the analysis in Question 4 through 9 to indicate potential externalities and the extent to which they will influence the local jurisdiction.

It is somewhat apparent by past experiences what will be the results of not monitoring and regulating land use development with regard to certain Matters. On the other hand, considering the local context and the extent to which Pueblo

has undertaken regulating mechanisms and extended planning-review-decision-making procedures, this locality may not be as heavily impacted by lack of Matter Designation.

The influence of H.B. 1041 is, however, beneficial and can expedite existing conditions if appropriately implemented.

From the evaluation of externalities, it can be demonstrated, by Matter, what the causal relationships will be if development activity is allowed to occur uncontrolled. It can also be demonstrated by the evaluation conducted under Question 12, that controlled and coordinated development is sought and necessary.

The alternatives to Designation must be considered in light of several major influencing factors, which are:

1. The possibility exists that House Bill 1529 may receive negative judicial review and that portions of the Bill may be thrown out.

This would place the mineral extraction issue totally in the realm of H.B. 1041, and if Designation does not occur to include all Mineral Resource Areas, the extraction operation remains solely under the regulation of Special Use Permits provided for by the County and City Zoning Resolutions.

2. There are extensive areas of corrosive soils and soils with high shrink-swell properties. If these areas are not adequately identified and Designated, the regulation of use in these areas becomes limited.

3. Although Pueblo is actively attempting to deal with its flood hazards in a variety of ways, if one of several possible projects does not materialize, e.g., proposed flood control structures by the Corps of Engineers, there will remain an extensive hazard to be regulated. Pueblo must consider the following major potential flood hazard areas of which many remain to be mapped and analyzed. They are:

- a. The Arkansas River -- mapped and analyzed
- b. Fountain Creek -- mapped and analyzed
- c. The St. Charles River -- partially mapped and analyzed
- d. The Chico River
- e. The Huerfano River
- f. Six-Mile Creek
- g. Greenhorn Creek
- h. Dry Creek
- i. Wildhorse Creek -- mapped and analyzed
- j. Williams Creek -- mapped and analyzed
- k. Peek Creek
- l. Rock Creek
- m. Turkey Creek

4. New communities are a major concern within the community due to the number under development and the number proposed and possible. Existing are:

- a. Pueblo West -- 30,000 a.
- b. Colorado City -- 10,000 a.
- c. Hollydot Park -- 1,200 a.±
- d. Outlook -- 1,600 a.

Proposed possible:

- e. Brass Ranch -- 10,000 a.±
- f. Baculite Mesa -- 10,000 a.±
- g. C.F.&I -- 12,000 a.±
- h. Jackson Project -- 3,000 a.
- i. 3-R Ranch -- 15,000 a.±

That constitutes a total of 92,800 acres in existing and possible proposed new communities as compared to the approximate area of the City of Pueblo of 18,000 acres ±.

Senate Bill 35 does an adequate job of analysis of existing physical conditions. The concerns, however, are the economic and social impacts potentially important as a result of these proposals which S.B. 35 does not address. Without Designation, the alternatives lie in expanding the local requirements and local consideration under S.B. 35 through H.B. 1034.

While the transfer of legislated mechanisms may seem to compensate for lack of regulation under H.B. 1041, this transfer may not be politically practical in all cases due to the requirement for self-initiated regulations under H.B. 1034. Therefore, Designation is required in that H.B. 1041 allows for the utilization of State-applied regulations.

5. The Activity of Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and Major System Extension may have the potential for generating New Communities, thus resulting in significant implications within the local jurisdiction. Along with this, the Activity of efficient Utilization of Municipal and Industrial Water Projects actively requires monitoring and regulatory mechanisms which are not now readily available through other existing legislation. The alternatives are continued uncontrolled and unrelated extensions of systems by the various Water and Sanitation Districts and Associations.

The extensions have a tremendous impact on existing and possible future land use development activity. Without Designation, the presently occurring "leap frogging" development will continue. Without Designation, the prime resource -- water -- will continue to be expanded without the consequences being understood and compensated for.

6. Area Around a Key Facility is an H.B. 1041 Matter which may impact the Pueblo community in several locations. They potentially are:
 - a. The Interchange of I-25 and U.S. 50
 - b. The Interchange of I-25 and U.S. 50 Bypass
 - c. The Interchange of I-25 and Colorado 96
 - d. The Interchange of I-25 and Colorado 76
 - e. The Interchange of I-25 and Colorado 45
 - f. The Interchange of I-25 and Colorado 165
 - g. The Interchange of U.S. 50 and Colorado 45
 - h. The Interchange of U.S. 50 and U.S. 50 Bypass
 - i. The Interchange of U.S. 50 Bypass and Colorado 96
 - j. The Interchange of Colorado 45 and Colorado 96
 - k. The Interchange of Colorado 45 and Colorado 76
 - l. The area around the Municipal Airport
 - m. The area around the Commanche Power Plant

There are an extensive number of power transmission lines which also have to be considered. Without Designation, the resulting land use development will have extensive effects especially when it is considered that several of the interchanges are currently under a great deal of development pressure as is the area around the Airport and some of the land near the Power Plant. The land use regulatory mechanisms, excluding H.B. 1041, will not allow sufficient analysis and guideline development to insure appropriate land use.

From this, it is apparent that to adequately analyze the alternatives to Designation -- actually the implementation of the Bill -- the evaluations and analyses required by Questions 6, 7, 8, and 9 must be completed.

To derive a reliable value, a general descriptive breakdown can be used and equated to the integer system.

The breakdown relates to the relative availability of adequate alternatives to Designation of the Matter in question. These are:

- Numerous mitigating alternatives available = 1
- A limited number of mitigating alternatives available = 2
- Compensating alternatives available = 3
- Non-compensating alternatives available = 4
- No alternatives to Designation available = 5

This relationship is based on the premise that the fewer the number of alternatives available and the less effectual they are, the more critical Designation becomes.

Question 12: *What related legislative regulations are involved with the Potential Matter?*

This is a critical consideration and is directly related to the previous analyses. The emphasis here is the interrelation that will exist if Designation occurs. The regulatory and review mechanisms involved are:

1. Senate Bill 35
2. House Bill 1529
3. Zoning
4. A-95
5. Section 208 of the Federal Water Pollution Control Act Amendments of 1972
6. Building Permit Issuance
7. Special Permit Issuance
8. Community Development Process

When anticipating combining review processes and decision-making procedures, the requirements of all governing legislation must be addressed and fulfilled. A breakdown of criteria by Legislated Enactment will be performed and the points will be indicated where H.B. 1041 criteria and information requirements are the same or inclusive of requirements of the other legislation. Likewise, the instances where there are distinct and non-overlapping requirements will make these dissimilarities apparent.

The more overlapping possibilities that exist, the greater the number of commonalities will occur; thus, the effort to coordinate and combine procedures will be facilitated.

Because of all the review procedures presently required, it is apparent that the solution to this myriad of procedures is to eventually perform a common review-decision-making operation.

In the interim, these may have to be dealt with as they occur. Even so, the comparative analysis required to answer this question will illuminate any oversights in information submittal and review considerations.

Another reason that this comparison should be accomplished is to locate any possible points of conflict among the various criteria and procedural requirements. There are definite possibilities for contradiction and confusion over

precedence. (For example, if a subdivision review is conducted under S.B. 35 and one of the requirements is provision of water.) If, in order to meet this requirement, an extension of a major domestic water system is proposed (an Activity of State Interest) must the subdivision be delayed or even denied because of the need to perform the IDSA?

By performing this evaluation, potential conflicts and delays will be identified and answers can be sought from appropriate sources while, at the same time, a potential developer can be made aware of possible difficulties. The product will be a Legislation Review Checklist. The means of assigning a value to the results will conform to the following relationship decisions:

Eight or more regulatory procedures involved = 5
Seven to six regulatory procedures involved = 4
Four to five regulatory procedures involved = 3
Three to two regulatory procedures involved = 2
One to zero regulatory procedures involved = 1

Question 13: *In what order should the Matters be considered, i.e., priority ranking?*

As explained in the introduction to the Section, in order to provide a means to evaluate each Matter in relation to its relative importance, a method of rating each Matter must be provided.

Priorities are not a case of arbitrarily assigning some ranking of 1 through 13 to the Matters of State Interest. By determining the relative importance of each Matter, an indication of the existing conditions and local attitudes will be expressed. If funding is allocated based upon this Priority Ranking, it becomes a critical matter to properly weigh the implications of undertaking Identification of one Matter before proceeding to another. Assigning staff time and the amount of planning effort to be expended on each will have some real short-term implications and may even direct the sequence and manner in which the IDSA is implemented.

Priorities are based upon substantiated need and efficient allocation of resources. The cursory ordering of Matters of State Interest is inappropriate and may lead to the disruption of the entire process.

By deriving some rating value for each Matter, a weight can be obtained which indicates where the initial or substantial portion of the local effort should be assigned and where State input is needed. The result of this endeavor is a matrix with each of the ratings for each question presented by Matter so that a total value can be gained.

The following is an example of the product of the analysis completed for Question 13.

MATTER:	DEFINED VALUES												
	QUESTION 1	QUESTION 2	QUESTION 3	QUESTION 4	QUESTION 5	QUESTION 6	QUESTION 7	QUESTION 8	QUESTION 9	QUESTION 10	QUESTION 11	QUESTION 12	QUESTION 13
AREA 1	5	-	-	3	2	8	4	4	5	4	3	5	43
AREA 2	5	-	-	3	3	8	4	5	4	4	3	4	43
AREA 3	5	-	-	4	1	3	4	3	5	3	4	3	35
AREA 4	5	-	-	2	1	5	2	4	5	5	4	3	36
ACTIVITY 1	5	-	-	5	2	7	2	4	5	5	4	5	44
ACTIVITY 2	5	-	-	3	1	2	2	2	2	2	1	3	23
ACTIVITY 3	5	-	-	4	1	3	2	4	2	3	2	4	30
ACTIVITY 4	5	-	-	1	1	3	2	4	2	3	3	4	28
ACTIVITY 5	5	-	-	4	1	6	2	4	4	4	3	4	37
ACTIVITY 6	5	-	-	3	1	3	2	3	2	3	3	3	28
ACTIVITY 7	5	-	-	4	3	9	2	4	5	5	3	5	45
ACTIVITY 8	5	-	-	5	5	9	3	5	5	5	4	2	48
ACTIVITY 9	5	-	-	1	1	3	3	5	1	5	5	2	26
TOTAL	60	-	-	42	23	69	34	51	47	51	42	47	—

From the totals under Question 13, it appears that Activity Number 8 -- Efficient Utilization of Municipal and Industrial Projects -- is the first priority followed by Number 7 -- New Communities and the subsequent order of:

- Activity Number 1
- Area Numbers 1 and 2
- Activity Number 5
- Area Number 4
- Area Number 3
- Activity Number 3
- Activity Numbers 4 and 6
- Activity Number 9
- Activity Number 2

In the case of "ties," the program can go back and assign values to Question Number 3 as mentioned to determine if some ranking can be obtained. If this is done, however, it must be accomplished for each of the remaining Matters.

This Program is not the only approach that can be taken to Identify Matters of State Interest. It is a Program that will be beneficial to this office for reasons already mentioned.

There is one important consideration. When the answer of one or more questions relies on one analysis, the quality of that analysis will affect the validity of the outcomes of the dependent questions. There are extensive interrelationships involved in this Program that make it necessary for this dependency situation to exist. A common inclusive analytical method may be possible; however, it would be extremely involved, very time-consuming and probably require the aid of a computer. This last aspect is out of the realm of immediate possibilities for Pueblo, although computerization would be applicable if not facilitating for some of the analyses.

There are several means of answering each question and the products will vary to some extent. What has been presented here is a brief indication of the anticipated involvement of the H.B. 1041 Identification Work Program.

Where overlap is minimal among certain questions, they can be separately assigned as projects to individual staff members and allocated appropriate funds. When there is extensive overlap and several analyses to be performed, a team approach can be utilized and administrative programming will be developed accordingly.

It is obvious from this initial specification that Identification is an involved and time-consuming endeavor. If the anticipated IDSA is implemented, it may be at least 18 months before the Process is in operation and the Administration Stage is functioning. (See Appendix F.)

It is felt that as much as possible of what is proposed herein should be accomplished. Expediency will not -- locally -- be the modifier which affects the quality of the program.



VII. CONCLUSIONS:

In the Introduction to the statement, a proposed interpretation was presented whereby House Bill 1041 may be interpreted to be a re-emphasis of the position that the final authority for land use decision-making exists at the local level of government. This has been utilized as one of the underlying premises on which this proposal is based. The recognition of the possibility of State intervention has been made and such an eventuality has been accepted.

The opposite interpretation of the Bill may also be valid. This is a statement of the philosophy that the local units of government are not capable of rendering a logical and appropriate land use decision. The recognition must be made in this thinking that the probability of the State's effectively influencing local land use decisions may be minimal at best.

Regardless of which interpretation is made, we feel there are common issues that must be clarified and several technical, procedural, and administrative difficulties to overcome before the Bill can be properly and effectively implemented.

The proposal represented in this document points to some of the possible problems but does not itemize each potential difficulty in the text. This brings up another premise which states that the Bill will be implementable, in some form, and that where H.B. 1041, as written, cannot adequately perform the functions assigned to it, utilization of other mechanisms will occur to allow the proposed process to be implemented -- possibly the authority inacted in H.B. 1034.

There still remains some confusion concerning several provisions in the Bill. Clarification is required by the State before the first stage can be initiated and before the effect the Bill has on local planning-review-decision-making processes can be determined.

First, in Section 106-7-107 of the Bill, the exemptions are given and among these are two which may have a detrimental effect on the ability of H.B. 1041 to regulate land use development activities. These two exemptions to inclusion are land

- "(C)(II) which has been zoned by the appropriate local government for the use contemplated by such development or activity; or
- (C)(III) with respect to which a development plan has been conditionally or finally approved by the appropriate governmental authority."

Does the first exclusion mean that, if an area is previously zoned appropriately to an intended use, H.B. 1041 does not apply? For example, assume that a proposed development is intended to be constructed according to the requirements of the zone which controls the area of land on which the development occurs and it is determined that that parcel of land lies within an Area of State Interest and the development is also an Activity of State Interest. Does this mean that H.B. 1041 does not apply to this development because it is properly zoned and the proposed development will meet the zoning requirements? If this is true, then any proposed development that does not require a zone change is not covered by House Bill 1041 requirements.

The second exclusion relates to the Bill's not being retroactive in relation to existing developments and those presently within the process of development approval or the process of actual implementation. The question concerning this point relates to the situation where a previously approved subdivision or New Community undergoes Master Plan revisions resulting in the need for zone changes within the development. Because the development has been previously approved, does H.B. 1041 still not apply even though the development is within an Area of State Interest? If H.B. 1041 applies to the area which is modified and is not applicable to the remainder of the site, how can this be justified if it is determined that the modified portion should not be developed and the rest of the site is approved for construction?

The answers to these questions are required to determine how effective the Bill will be and to what extent it can be applied.

It is the general opinion of this staff that House Bill 1041 is applicable or should be applicable to any and all Areas and Activities of State Interest regardless of the situation -- except for existing and established developments, obviously.

Another point of confusion relates to Section 106-7-402, "Guideline - regulations" where the stipulation is made that "the local government shall develop guidelines for administration of the designated Matters of State Interest." This provision is included under Part Four of the Bill, and as proposed therein, it appears that because of the amount of effort required to develop appropriate guidelines, this section should constitute a separate stage. This raises the issue of what these guidelines should include and when they should be developed.

The "appropriate State agencies" are required to prepare and transmit model regulations to the local governments. This action is being accomplished and the question is, why now?

Before a clear definition of Identification has been given; before the process of Designation has been developed; and before Work Programs have been completed, the State is transmitting "Proposed Model Regulations" to the local government. This seems an inappropriate sequence for State work in relation to the specified and proposed Processes. What is resulting from this premature release of guidelines is confusion and concern over the possibility of the Process because of the restrictiveness of some of the Model Regulations and the uncertainty as to how much of the local jurisdiction will have to be controlled by these Regulations.

The current effort should be focused on Identification, what it is, what it will do, and how to do it. There is a substantial amount of base information that many of the local governments require. Instead of transmitting Proposed Model Regulations, would it not be more advantageous to be developing requirements for Identification? The Work Program is supposed to indicate what information is required, in what format, and demonstrate what operations will be performed with this information. To begin with, what information can each agency provide, at what level of detail, and in what format? It is being assumed that each local unit knows what they are expected to do and what assistance they will receive by what agency. This is a questionable assumption. (The first recommendation to the local governments was to request help from the State agencies. Request what help from whom?) In the interim, sets of Model Regulations are received and the suggestion is to have them locally adopted before the first of the year. Adopted to prevent what, where?

In respect to Identification and technical assistance, another real concern is the quality of information that will be received by the local governments. As indicated in the text on Identification, to perform adequately the analyses required to address the questions of Identification, the information will have to be in descriptive and quantifiable terms. Maps at a scale of 1" = 2 miles are totally inadequate to evaluate possible locations of Matters of State Interest. This scale, also, does not conform to the recommended mapping of Matters at 1" = 2000'. When this point was raised with the agency involved, the reply was to the effect that mapping at 1" = 2000' is being accomplished, but Pueblo's map will not be completed for at least one year and possibly two years. This situation would not be critical except that most agencies seem to be relying totally on mapping as the product of Identification. As discussed previously, this is an inappropriate and counterproductive attitude. If the agencies would concentrate on formalizing the criteria they are using to map possible Matters and present these criteria components to the local governments in usable form, then the local agencies could perform most of the mapping, when required, and have these components available to conduct possible comparative analyses, as indicated in the Work Program Section of this document.

The referral procedures specified in the Bill should also be clarified. The anticipated information requirements for transferral should be made known. This will give an indication of what form local production must take to satisfy the needs of the Land Use Commission. The Implementation Process can also be designed at the local level to conform with transferral deadlines. The Proposed Implementation Process is based upon local procedures and will probably be modified and eventually finalized as Land Use Commission requirements are made known.

One of the most important aspects of the Proposed Process is the incorporation and combination of existing review procedures utilizing H.B. 1041 as the catalyst. This can only be "proposed" because clarification has not been made by the State concerning the relationships of the various land use regulatory legislation, as discussed in the questions concerning Section 106-7-107.

In association with this, the State has discussed H.B. 1041 in terms of performing "Master Planning" for the locality and making statements such as "related to zoning." How is it related? Which has precedence? For the most part, the implications are that H.B. 1041 is a separate and distinct process and the impression is left that the local governments need not be concerned with S.B. 35, H.B. 1529, and zoning. An example is the creation of the office of County Land Use Administrator for each County. It should be obvious that this may establish immediate duplication and/or conflict with existing practices in some localities. Pueblo has taken what should be considered a forward-looking step in turning over H.B. 1041 funds to the Pueblo Area Council of Governments and designating the Director of the Pueblo Regional Planning Commission as County Land Use Administrator. This decision ensures that H.B. 1041 will be automatically included into existing programs and procedures. Further substantiation of this effect is presented in the Section on Pueblo's Approach.

If real effort is not given to the issue of integrating the existing review-decision-making procedures, the H.B. 1041 Process will suffer and become ineffective in performing its intended function. It appears that the process that is being initiated under H.B. 1041 provides for at least the potentiality of failure. This is regrettable because of the progress that is probably available through proper implementation of H.B. 1041. It stands to reason that if H.B. 1041 can be designed to function as the local Master Planning effort, it can be and should be comprehensive enough in scope to deal with the issues of S.B. 35, H.B. 1529, and zoning; otherwise there would seem to be a contradiction in terms and meaning.

The lengthy text presented here is for the purpose of demonstrating the intent to incorporate H.B. 1041 into the exist-

ing planning-review-decision-making process for Pueblo. It is hoped that the Pueblo intent and other possible approaches to H.B 1041 have been communicated.

The integration aspects not only relate to legislative processes but also to jurisdictions. Because the County is relying on a COG agency to perform the H.B. 1041 Program, it should be evident that from the beginning it has been anticipated to include the City of Pueblo into the process (See Appendix C). This situation requires that the H.B 1041 Program be much more comprehensive in nature and much more detailed than if just the County were involved. The Program must be able to deal with the urban context as well as rural concerns. This substantiates the real need for component utilization and the inappropriateness of only mapping at 1" = 2000' because at this scale the City would be represented by a map of 10" x 10" which is an ineffectual level of detail for analyzing an urban city of 100,000 people.

Some may have concern over the Work Program format. As it has been repeatedly pointed out, there are some major issues to be clarified before an itemized breakdown of operations and personnel assignments can be made. It is apparent that the allotted \$25,000 is insufficient to complete the proposed program. To relate directly the funds received to the dimensions of the problem, the initial amount is equal to only \$10.42 per square mile or \$0.21 per resident for analysis and evaluation for identification. This is insufficient to perform even the rudimentary aspects of the program, for if the cost of \$6,000/linear mile for floodplain mapping and analysis is correct, it would cost at least \$600,000 to complete flood hazard evaluation for the area alone.

This document is in response to a local concern involving State proposals, recommendations, and implied interest. Because the initial application did not receive a formal written review and because more documentation has been prepared by the State, it is felt that this revision should be submitted. There will be a supplemental submission entitled Volume II: "Proposed House Bill 1041 Special Topic Analyses." These Special Topics are Matters of State Interest which have significant implications in relation to the local jurisdiction and require special attention and extended effort in order to evaluate adequately their existing and potential impacts on the community. The Special Topics to be addressed in Volume II are:

1. *New Communities*
2. *Mineral Resource Areas*
3. *Natural Resource Areas*

Application for additional funds to deal with these three topics will be forthcoming.

It is requested that this document receive a formal review by the Colorado Department of Local Affairs and that responsible individuals make any comments that are felt to be necessary.



STATE OF TEXAS
COUNTY OF [illegible]



APPENDIX A

STATE OF TEXAS
COUNTY OF [illegible]



PUEBLO REGIONAL PLANNING COMMISSION
1 CITY HALL PLACE
PUEBLO, COLORADO 81003

May 28, 1974

The Honorable John R. Bermingham
Assistant to the Governor for Environmental Affairs
and State Planning
State Capitol
Denver, CO 80203

Dear Senator Bermingham:

Attached is a copy of our application letter, Commissioners' resolution and proposed work program for Pueblo County under the provisions of H.B. 1041. I do not know the extent to which other counties have responded, but I thought you might be interested in the Pueblo County Proposal.

A cursory review of the bill by our attorney, after last Thursday's Planners' meeting, tends to confirm the "imminent growth" interpretations of Section 106-7-402 (2) b I relative to "development pressures." My personal feeling is that H.B. 1041 as a relatively weakened bill from the original interim committee version must now depend upon rather strict administrative interpretations and guidelines if it is to accomplish the intended purpose. Consequently, this office would urge that precise guidelines for participation and administration be developed at the state level. We would also urge a strong regional approach wherever possible. We, here in Pueblo, intend to further the already initiated cooperative mechanism with the Huerfano-Las Animas Council of Governments in this regard.

Again, I want to thank you for your attendance and speech at our annual meeting. Both the Commission members, local elected officials and other guests regarded it highly.

We look forward to participation in the identification and designation of matters of state interest program and also anticipate a fruitful cooperation with the involved state agencies in this regard.

Sincerely,
E. H. Fisher
Eugene H. Fisher
Director

Enclosures

EHF/lsm

cc: Mr. Fred E. Weisbrod, Executive Director
Pueblo Area Council of Governments

A MEMBER OF THE SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

pueblo area council of governments



PUEBLO REGIONAL PLANNING COMMISSION
1 CITY HALL PLACE
PUEBLO, COLORADO 81003

May 23, 1974

Mr. J. D. Arehardt, Director
Colorado Division of Local Government
Department of Local Affairs
1550 Lincoln Street
Denver, CO 80203

Dear Mr. Arehardt:

The Pueblo Board of County Commissioners has authorized the Pueblo Regional Planning Commission to prepare such documentation as necessary to participate in the identification and designation of matters of state interest program (see attached resolution). I herewith submit in their behalf the enclosed application for planning assistance as provided for in H.B. 1041.

Pursuant to Section 106-7-403 (2) b I, the Pueblo area has experienced significant development pressures over the last several years. Over 25,000 "new community" lots have been subdivided, but the large majority of these parcels have not yet been built on. Within the last six months the Pueblo Regional Planning Commission recommended disapproval of a proposed Master Plan pending before the County for a 10,000 acre "new community" development adjacent to the southern boundary of Pueblo Reservoir. The Master Plan proposal was subsequently withdrawn for revision and refinement.

Pursuant to Section 106-3-9 (1) and the relationship of the designation program to municipalities, the staff of the Pueblo Regional Planning Commission performs its required regional planning functions and also provides technical staff assistance to both the City and the County zoning and subdivision bodies. Thus, one centralized planning staff already exists to work with both the County and the City of Pueblo in meeting the requirements of H.B. 1041.

Recently, preliminary meetings have been held between representatives of the Pueblo Area Council of Governments and the Huerfano-Las Animas Council of Governments in regard to formation of a Region Seven Coordinating Council. Draft Articles of Association and By-Laws have been prepared. Consequently, through this association all planning activities under the requirements of H.B. 1041 will be coordinated with the staff and members of the Huerfano-Las Animas Council of Governments, as necessary.

A MEMBER OF THE SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

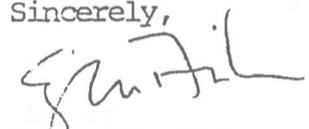
pueblo area council of governments

Attached you will find a planning proposal for the following:

- A. Identification and designation of Matters of State Interest
- B. Prototype Proposal for Procedures relating to historical and archaeological resources
- C. Pueblo Reservoir Impact Study to develop additional controls to protect a Natural Resource of Statewide Importance
- D. Preparation of a Mineral Extraction Plan in regard to mineral resource areas and H.B. 1529
- E. New Communities Impact Study
- F. Budget Summary
- G. Work Schedule Flow Chart
- H. Organization Chart
- I. Staffing Profile

Thank you for your consideration.

Sincerely,


Eugene H. Fisher
Director

Enclosures

EHF/lsm

RESOLUTION NO. _____

A RESOLUTION REGARDING THE IDENTIFICATION
AND DESIGNATION OF MATTERS OF STATE INTEREST

WHEREAS, the Board of County Commissioners of Pueblo County has long recognized the need for and supported long-range comprehensive planning; now, therefore,

BE IT RESOLVED, that: we, the members of the Pueblo County Board of Commissioners hereby declare our desire to participate in the identification and designation of matters of state interest program established by Chapter 106, CRS 1963, as amended.

We hereby agree to comply with the standards and guidelines established by the Colorado Department of Local Affairs to insure that all information is comparable for each county relative to the scope, detail and accuracy of the program.

Therefore, we hereby authorize the staff of the Pueblo Regional Planning Commission to prepare such documentation as required for said program in Article 7, Chapter 106-CRS 1963, as amended.

Signed this 20th day of May, 1974

[Handwritten signatures of Board of County Commissioners]

ATTEST: Alice Novak
Dputy County Clerk

I, Gladys R. Comi, a Notary Public in the State of Colorado, County of Pueblo, do hereby certify that the above is the original copy of "A Resolution Regarding the Identification and Designation of Matters of State Interest" adopted by the Board of County Commissioners of Pueblo on May 20, 1974.

In witness whereof I hereunto set my hand and affix my seal this 28th day of May, 1974.

Gladys R. Comi
Gladys R. Comi

1. Local Research - Based upon the diverse cultural heritage of the Pueblo area, local historical and archaeological resources will be identified primarily under Part A of this work program.

2. Prototype Procedures for Protection - Model control and protection mechanisms will be devised. A survey of existing historic preservation literature and a review of existing local and other state land use building and preservation control measures will be conducted.

3. Local Methods and Ordinances - Based upon the work conducted in No. 2 above, in cooperation with the State Historical Society, the State Archaeological Society and other state and local historical groups, the prototypes will be translated to fit local conditions and needs. The model regulations are essential, however, in that otherwise each county could expend time and money developing its own unique regulations and related processes with no minimum uniformity between counties.

4. Publication - The prototype codes and the process of local adaption and local designations will be published in a future issue of the PUEBLO DESIGN QUARTERLY. (See PDQ No. 3 & 4 attached which dealt with architecture and design).

The total cost of this work program item is estimated at approximately \$14,000.

C. Pueblo Reservoir Impact Study to develop additional controls to protect a Natural Resource of Statewide Importance

1. Legislative Definition - As defined in Section 106-7-104 (12) the Pueblo Reservoir, as an essential part of the Fryingpan-Arkansas Project, is a natural resource of statewide importance. The recent announced intention of Fort Carson expansion into the area represented a major threat to the wildlife area planned for the upper reaches of the reservoir. A recent new community proposal south of the Reservoir was reviewed and rejected by the Pueblo Regional Planning Commission.

2. Areawide Study - The shorelands within the Bureau of Reclamation take line are protected by public ownership and planned for recreational development. The further reaches of shorelands lying outside the take line, however, have been subject to intense recent speculative transactions. These further reaches of shorelands require a thorough and careful areawide study in order to plan and program adequate controls over future use.

3. Lease of State Honor Farm - This work element is made all the more urgent by the pending lease of the State Honor Farm, comprising approximately 5,000 acres, adjacent to the Reservoir area and planned for recreational development by the City of Pueblo.

PROPOSAL FOR PLANNING ACTIVITIES IN PUEBLO COUNTY

pursuant to the requirements of

H.B. 1041

Based upon the requirements of H.B. 1041 and the intent of the Pueblo Board of County Commissioners, as evidenced in the attached Resolution, the following are work program items proposed for State Department of Local Affairs consideration and review:

A. Identification and designation of matters of state interest

1. Research - Existing data and maps will be compiled and evaluated to determine all areas and activities in the County subject to designation. Further inspection and/or coordination of information with other public and private agencies will be utilized to fill in any information gaps.

2. Interpretation and Analysis - The information collected concerning these areas and activities will be evaluated in regard to interrelationships and magnitude of probable development impacts. Alternative designation proposals will be prepared consistent with Comprehensive Plan alternatives.

3. Public Dissemination and Public Hearings - The proposed designations will be mapped and displayed in a public place prior to a series of designation hearings to be held in various parts of the County in order to receive widespread public exposure. After this sequence of localized hearings, the maps will be displayed in the County Courthouse prior to a designation hearing to be held by the Board of County Commissioners.

4. Designation - The Board of County Commissioners will hold its hearing and then act as required by the law.

The total cost of this work program item is estimated at approximately \$39,500.

B. Prototype Proposal for Procedures relating to Historical and Archaeological Resources

No provision has been made for the preparation of model control regulations or procedures under this particular area of state interest. Without model procedures and regulations hundreds of historical and archaeological resources may be destroyed by development or by ignorance of their inherent importance.

4. Potential Impacts - As part of this study the local and regional economic impacts of alternative recreation proposals will be evaluated. Those activities which yield the greatest number of visitation days in relation to the local tourist economy will, after evaluation, be established as top priority.

5. Compatibility of Development - In addition, the land use relationships of both the Reservoir and the Honor Farm with adjacent lands will be evaluated to determine the highest degree of land use compatibility.

The total cost of this work program item is estimated at approximately \$13,000.

D. Preparation of a Mineral Extraction Plan in regard to Mineral Resource Areas and H.B. 1529

1. H.B. 1529 - Pueblo County, including the City of Pueblo, is one of nine Colorado counties which must meet the provisions of H.B. 1529 and prepare a Mineral Extraction Plan by July 1, 1975.

2. Current Activity - Extraction activities are presently being conducted by large private companies as well as the Federal (under contract), State and local governments. The areas presently containing extractable deposits are the Arkansas River, Fountain Creek, and St. Charles River flood plains, Baculite Mesa and other dispersed sites within the county.

3. Potential conflicts between H.B. 1529 and H.B. 1041 - Certain interpretations of H.B. 1529 maintain that no local action after July 1, 1973 may prevent or deter future "commercially feasible" mineral extractions. Section 106-7-202 (1) a of H.B. 1041 notes that other than extractive uses must be given preference if the "...economic value of the minerals present therein is less than the value of another existing or requested use."

4. Deficiency of Existing State Assistance - The State Geological Survey has mapped Pueblo County on work maps at a scale of 1:24,000. The published final maps will be at a scale of 1:250,000. The scale of these maps obviates no more than a cursory and generalized plan for mineral extraction activities and appropriate phasing.

5. Development of Compatible Legislative Interpretations - A program must be designed to accommodate the requirements of all existing legislation. The criteria for determination of a commercially extractable area must be developed in regard to the probable year of extraction. The implications of extraction operations must be considered in economic terms, considering the effect upon local employment and the economy.

6. Identification of Mineral Resources - The deposits must be clearly identified as to the amount of aggregate or sand present,

the amount of over burden, the quality of the deposits, the amount of time required to extract the deposit and the processing operations required.

7. Mineral Extraction Plan Development - Existing and potential land uses of the deposit locations must be identified. Determination of the possibilities of multi-sequential use must be evaluated. Although many of the deposit areas are in or are adjacent to various floodplains, a large portion of St. Charles Mesa, a rapidly developing exurban area previously constituting largely irrigated farmland, has been determined T-1 (Stream Terrace Deposit, Gravel: relatively clean and sound) by the State Geologist.

8. Citizen Involvement Procedures - The Pueblo Area Council of Governments has authorized the Pueblo Regional Planning Commission to form a Mineral Extraction Advisory Committee to assist in the preparation of an Extraction Plan. This committee represents extraction interests, land owners, and environmentally-oriented citizens and includes adequate minority representation. After alternative plans are developed, public meetings will be held to receive maximum possible citizen input.

9. Public Hearings and Plan Adoption - After adequate citizen, professional and extraction - interest input, a final hearing will be held before the Board of County Commissioners prior to adoption of the Mineral Extraction Plan.

The total cost of this work program item is estimated at approximately \$31,700.

E. New Communities Impact Study

1. Existing "new community" activity - Pueblo County has prime locations for the development of so-called "new communities." Over the last few years Pueblo West (30,000± acres), Colorado City (17,000± acres) and Hollydot Park (2,500± acres) have been platted and zoned. A majority of these lots have been already sold, although the population of Colorado City after ten years of development is approximately 1,000 people and the population of Pueblo West after five years of development is approximately 1,600 people.

2. Adequate Water - The population of the City of Pueblo is currently about 103,000. The Pueblo Board of Water Works, however, owns flow rights and trans-mountain rights of water sufficient to serve approximately 200,000 or more people. A recent extraterritorial water ordinance passed by the City provides for Pueblo Regional Planning Commission review and comment with recommendations to Pueblo Area Council of Governments for each extraterritorial water service application outside the immediate fringe area of the City.

3. Pending "new community" developments - At least seven additional "new communities" (Brass Ranch, Baculite Mesa, 3-R Ranch, C.F. & I., San Carlos Ranch, Jackson SW, and a 2,200 acre expansion of existing

F. Budget Summary

I. Overall Budget

(A) Identification and designation of Matters of State Interest	\$39,500
(B) Prototype Proposals for Procedures relating to Historical and Archaeological Resources	14,000
(C) Pueblo Reservoir Impact Study to develop additional controls to protect a Natural Resource of Statewide Importance	13,000
(D) Preparation of a Mineral Extraction Plan in regard to mineral resource areas and H.B.1529	31,700
(E) New Communities Impact Study	12,800
Total Financial Assistance Requested	<hr/> \$111,000

Colorado City) are in various stages of discussion, acquisition or pre-planning. These seven have a total acreage exceeding 50,000 acres. The existing and planned "new communities" in the County cover an area five times the size of the present City of Pueblo.

4. Economic guidelines and standards - Of benefit to Pueblo and the State will be the development of guidelines and standards for the evaluation of the economic integrity of new communities. Emphasis will be on determining their immediate, intermediate and long-range economic stability. A complementary system will be developed which measures the economic implications of providing urban services and amenities for differing densities and site designs for the purpose of encouraging new community development for low and moderate income groups. This system will encourage the spatial separation of new communities, and create self-sustaining and non-parasitic urban centers by incorporating the provisions of S.B. 35 and the newly enacted H.B. 1041.

5. Model Control Regulations - The proposal will also develop model control regulations (based on the Colorado Planned Unit Development Act) which utilize all the resources of land use control. The model regulations will not duplicate the model prepared by the Division of Local Government, but will draw upon the full strength of the PUD concept and the State Act.

The total cost of this work program item is estimated at approximately \$12,800.

F. II. Budget Summary by Work Program Category

	A	B	C	D	E	Total
Salaries: Diversion of Existing Personnel	6,000	7,500	4,100	4,400	--	\$ 22,000
Salaries: New Personnel	12,000	--	--	10,000	10,000	\$ 32,000
Office Supplies	2,400	400	300	1,200	700	\$ 5,000
Operating Supplies	2,100	200	100	2,100	500	\$ 5,000
Field Work, Reconnaissance, and Travel	4,000	500	500	1,500	1,000	\$ 7,500
Training	1,000	250	--	--	250	\$ 1,500
Consultants	5,000	1,000	8,000	10,000	--	\$ 24,000
Printing	4,000	4,000	--	2,000	--	\$ 10,000
Capital Outlay	3,000	150	--	500	350	\$ 4,000
TOTAL	39,500	14,000	13,000	31,700	12,800	\$111,000

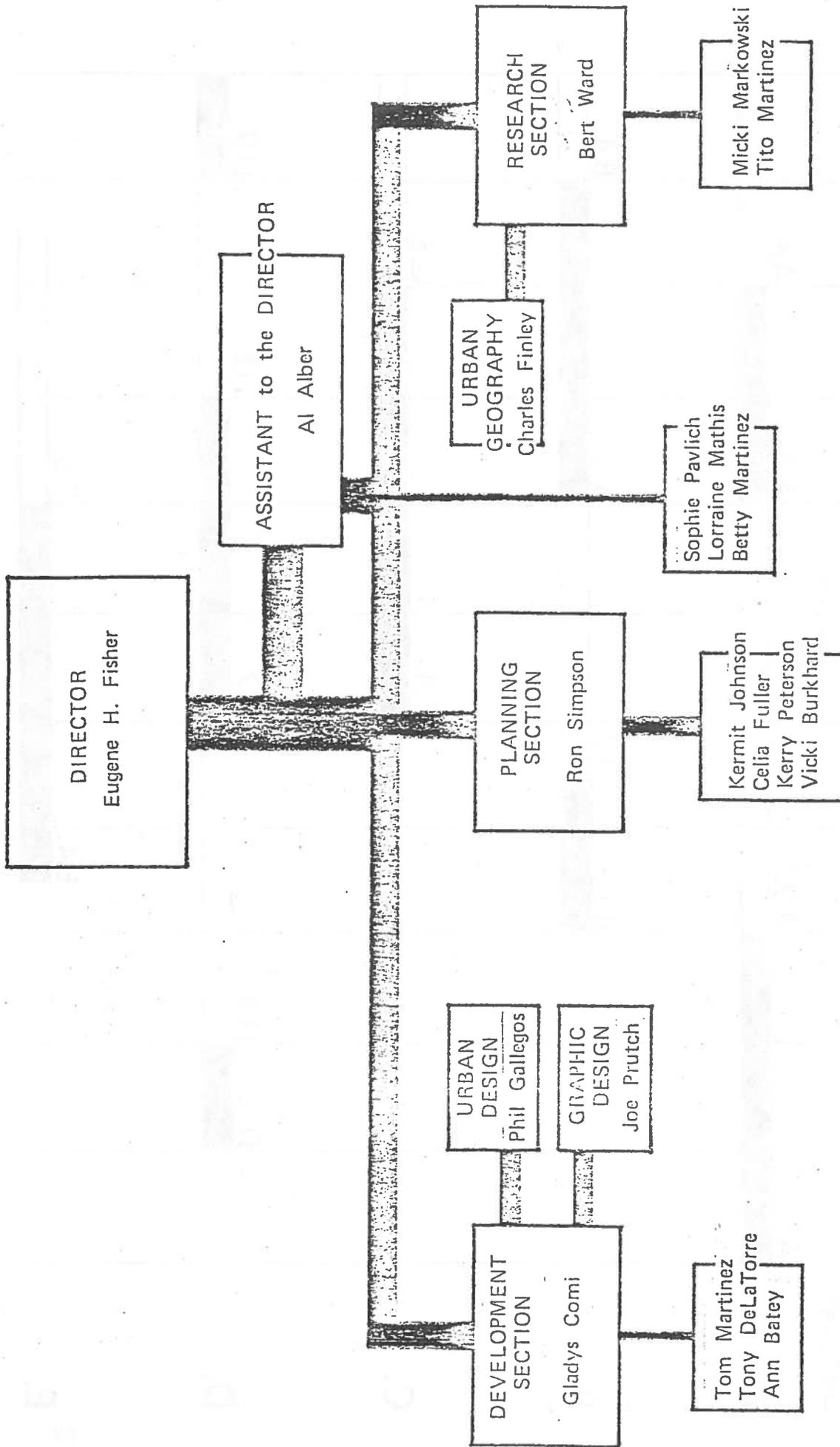
WORK SCHEDULE FLOW CHART

JULY 1, 1974 — JUNE 30, 1975

WORK PROGRAM CATEGORY

	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.	MAY	JUNE
A.	A.1.			A.2.		PROGRESS REPORT		A.3.		A.4.		
B.				B.1.	B.2.			B.3.			B.4.	
C.						C.4.				C.5.		
D.		D.5.	D.6.			D.7.		D.8.			D.9.	
E.				E.4.				E.5.				

PUEBLO REGIONAL PLANNING COMMISSION



PUEBLO REGIONAL PLANNING COMMISSION -- PLANNING STAFFING PROFILE

Al Alber, Assistant to the Director

ABA, Pueblo Junior College, 1956
BA, University of Northern Colorado, 1958
Fine Arts, Geology, Chemistry, University of Wuerzburg, Germany, 1961-63

Ann Batey, Planning Technician

AA, Pueblo Junior College, 1959
BA, Colorado State Teachers College, 1962

Vicki Burkhard, Environmental Planner

BS, Environmental Health, Colorado State University, 1973

Gladys Comi, Development Section Coordinator

Associate in Music, Pueblo Junior College, 1947
BS, Humanities, Southern Colorado State College, 1971
MA in Social Science, Urban and Regional Planning pending thesis completion,
University of Northern Colorado

Charles Finley, Urban Analyst

BS ED., Western Illinois University, 1969
MA, Geography, Urban Studies, Western Illinois University, 1973

Eugene Fisher, Director

B. Arch, Tulane University, 1969
MA in Social Sciences - Urban and Regional Planning pending thesis completion,
University of Northern Colorado

Celia Fuller, Planner

BA, Sociology, University of North Carolina, 1970
MA, Special Education, George Peabody College, 1972

Phil Gallegos, Urban Design Planner

B.Arch., University of Notre Dame, 1971
M.Arch., in Urban Design, University of Colorado, 1972

Kermit Johnson, Planner

BSCA, Iowa State University, 1969
M. of Environmental Design, Utah State University, pending completion of thesis

PTERLO REGIONAL PLANNING COMMISSION -- PLANNING STAFFING PROFILE

Lorenzo Martinez, Planning Technician

BA, Political Science, University of Texas, 1971

Tom Martinez, Planning Technician

BA, Social Science, Southern Colorado State College, 1973

Ferry Paterson, Planner

BA, Sociology and Psychology, Kansas Wesleyan University, 1969

Joseph Prutch, Graphic Designer

BA, Fine Arts, Southern Colorado State College, 1969

Gilbert Sanchez, Community Development Specialist

BA, Southern Colorado State College, 1972

Currently on leave-of-absence with stipend to United States International University in San Diego to obtain a M. of Community Development

Ronald Simpson, Planning Section Coordinator

BSIA, Iowa State University, 1972

Tony DeLaTorra, Planning Technician

BA, History, California State University, 1968

Bert D. Ward, Economic Consultant

BA, Economics, Southern Colorado State College

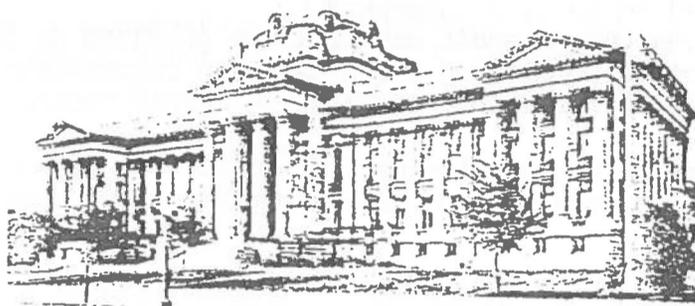
MA in Social Studies - Urban and Regional Planning, University of Northern Colorado, 1973

APPENDIX B

CHARLES R. WILLIAMS
Commissioner Dist. No. 1

A. H. HAYDEN JR.
Commissioner Dist. No. 2

JOHN E. HILL
Commissioner Dist. No. 3



JOHN E. HILL
Chairman of Board

E. J. McGUIRE
Clerk of Board

E. K. McMARTIN
County Attorney

BOARD OF COUNTY COMMISSIONERS
PUEBLO COUNTY, COLORADO
PUEBLO, COLORADO

July 1, 1974

J.D. Arehardt, Executive Director
Department of Local Affairs
1550 Lincoln St., Room 208
Denver, CO 80203

Dear Mr. Arehardt:

Attached is an executed copy of the resolution forwarded to us on June 19, 1974. Also attached is a copy of our Proposed Work Plan submitted to you on May 28, 1974.

The following points of clarification are submitted as an addendum to our original work plan based upon your guidelines:

1. The Board of County Commissioners by resolution on May 20, 1974, authorized the Pueblo Regional Planning Commission to prepare such documentation as required to participate in the identification and designation of matters of State interest program.
2. All matters of State interest that are applicable to Pueblo County will be included in said program which will be considered an essential component of the ongoing Comprehensive Planning program.
3. Any matters of State interest which are of joint concern with contiguous counties will be coordinated with the appropriate planning entities of those counties.
4. The appropriate zoning, subdivision and land use controls will be utilized as means to insure a thorough methodology in the designation process.
5. Through utilization of State technical assistance, local technical resources, and existing data, sufficient detail and accuracy will be attained so that the legislative goals of the program will be achieved.

6. The technical staff work will be assigned to the Pueblo Regional Planning Commission which has been responsible for ongoing comprehensive physical planning in Pueblo County since 1959.

We would appreciate the opportunity to meet with you or your representatives as soon as possible so that we may begin the work outlined under this program.

If you require further information, please feel free to contact me,

Sincerely,



John E. Hill
Chairman

JEH/lsm

cc: Mr. Phillip H. Schmuck, Director
Colorado Division of Planning.



APPENDIX C

CITY OF PUEBLO

COLORADO

P.O. BOX 1427
PUEBLO, COLORADO 81002

November 15, 1974

Mr. J. D. Arehardt
Executive Director
State of Colorado
Department of Local Affairs
1550 Lincoln Street - Room 200
Denver, Colorado 80203

Dear Mr. Arehardt:

The required identification of matters of state interest and other planning activities established by House Bill 1041 will be conducted for the City of Pueblo by the staff of The Pueblo Regional Planning Commission. This staff serves both the City of Pueblo and Pueblo County in planning matters. Eugene H. Fisher, Director of The Pueblo Regional Planning Commission staff, has been designated Land Use Administrator by Pueblo County. Thus the coordination of City and County planning by this agency is a continuation of the general practice of City and County cooperation in planning.

The Pueblo Regional Planning Commission staff will be submitting to you shortly an application for supplemental funds in order to support the identification and designation of matters of state interest for the City of Pueblo.

If you require further information, please feel free to contact me.

Sincerely,



Fred E. Weisbrod
City Manager
Executive Director, Pueblo Area Council of Governments

EHF:FEW:cc

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COLORFUL SOUTHERN COLORADO



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APPENDIX D

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PUEBLO REGIONAL PLANNING COMMISSION
1 CITY HALL PLACE
PUEBLO, COLORADO 81003

TO: Pueblo Area Council of Governments
FROM: Eugene H. Fisher, Director *EHF*
DATE: May 9, 1974
SUBJECT: Request for Goals Statement

The attached goals statement was given preliminary approval by the Pueblo Regional Planning Commission at its meeting of May 7, 1974. It was specifically noted that this statement is preliminary and will require further discussion and consideration.

EHF/mm

A MEMBER OF THE SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

pueblo area council of governments



PUEBLO REGIONAL PLANNING COMMISSION
1 CITY HALL PLACE
PUEBLO, COLORADO 81003

TO: Pueblo Regional Planning Commission
FROM: Eugene H. Fisher, Director *EHF*
DATE: May 1, 1974
SUBJECT: Goals and Policies Statement

Attached is a very preliminary goals statement prepared for discussion and consideration at the May 7 meeting.

It is necessary to note that many aspects of a community's goals have not yet been included.

The important consideration is the relationship among the five categories: Goal, Objective, Policy, Program and Project. Once the process of determining content is complete, the document with the five categories can not only represent a Goals Statement, but also could constitute a form of a 4 or 5 year Capital Improvement Program. This would be based on much more specific development of Program and Project items.

EHF/bjm

A MEMBER OF THE SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

pueblo area council of governments

INCREASE THE AMOUNT OF CITIZEN AWARENESS OF AND INVOLVEMENT IN THE PLANNING PROCESS.

- * establish citizen advisory committees as needed to address specific areas of concern.
- * sponsor community workshops on planning concerns.
- * maintain and enhance the idea sketch concept.
- * increase staff participation on various governmental & civic groups.
- * undertake a new and extensive community attitude survey.

INCREASE THE AMOUNT OF INTER-AGENCY COMMUNICATION AND PROJECT COORDINATION.

- * create a common information storage and retrieval system which will serve all agencies, commissions and groups.
- * increase the amount of inter-agency assistance on related projects.
- * establish more precise review procedures which increase the amount of inter-agency cooperation.

INCREASE THE AMOUNT OF PHYSICAL DESIGN EFFORT BY EMPHASIZING DESIGN AND GRAPHIC OUTPUT

- * continue to develop appropriate architectural design criteria; develop mechanisms to apply said criteria to the man-made environment.
- * continue and expand the physical design efforts for the CBD and Mirmequa areas.
- * undertake more park designs and include Liberty Point, Beulah Mt. Park, and other specific sites.
- * undertake physical design projects for other areas within the city and county.

STRENGTHEN THE BASIS FOR PHYSICAL PLANNING BY COMPLETING NECESSARY INVENTORY OF CONDITIONS AND ASSEMBLING REQUIRED DATA:

- * add a physical data section to the Data Bank to include soil, geology, plant materials, climate, etc.

- * conduct an environmental inventory and prepare an environmental assessment statement for the SESA -- Section 208, 1041, 1529 and 35
- * prepare new base maps containing more accurate and varied information.
- * collect additional economic data through inventory and survey.
- * collect additional social data through inventory and survey.

STRENGTHEN PROCEDURAL MECHANISMS BY REVISING THE REVIEW PROCESS AND RECOMMENDING NEW REGULATIONS; TO INCLUDE:

- * revisions of the County Zoning Resolution
- * revisions of the County subdivision regulations.
- * establishment of review procedures for H. B. 1041
- * establishment of review procedures for Section 208
- * establishment of review procedures for H.B. 1529
- * formalize and strengthened review procedures.
- * establishment of performance standards for development.

INCREASE THE POTENTIAL FOR AFFECTING THE TYPE AND LOCATION OF DEVELOPMENT BY PREPARING AND RECOMMENDING IMPLEMENTATION REGULATIONS AND LAND USE CONTROL MECHANISMS.

Recommend a density transfer mechanism.

Recommend a land banking mechanism.

Recommend a process for trading of publically and privately owned land.

Recommend public service control mechanisms.

Recommend means for direct compensation and incentives based on performance standards.

INCREASE IN-HOUSE CAPABILITY, KNOWLEDGE, AND WARENESS BY UNDERTAKING EDUCATIONAL PROGRAMS

- * increase participation in external seminars and conferences
- * conduct in-house seminars for staff and commission
- * revitalize the library by adding new material and continually updating
- * conduct inter-agency workshops and seminars



APPENDIX E



PUEBLO REGIONAL PLANNING COMMISSION
1 CITY HALL PLACE
PUEBLO, COLORADO 81003

POLICY GUIDELINES
for
SENATE BILL 35-SUBDIVISION
REVIEW PROCEDURES

Adopted
by
Pueblo Regional Planning Commission
February 19, 1974

A MEMBER OF THE SOUTHERN COLORADO ECONOMIC DEVELOPMENT DISTRICT

pueblo area council of governments

SENATE BILL 35-SUBDIVISION REVIEW PROCEDURES

- I. The Pueblo Regional Planning Commission will only consider those subdivision reviews under Senate Bill 35 when all information pertinent to said review, as stipulated in Subdivision Regulations; County of Pueblo; Pueblo, Colorado, is complete and available to the Commission at the time of review.
- II. The Regional Planning Commission will generally consider subdivisions for review when the applicant or the duly authorized representative of the applicant is present at the time of review.
- The applicant or the representative of the application must be knowledgeable enough of the subdivision to enter into a dialogue with the Commission and if necessary, have the authority to make policy statements about said subdivision.
- III. If all information required, the applicant, or a duly authorized representative of the applicant is not available to the Commission at the time of scheduled review, action on said review will be tabled.
- IV. The Pueblo Regional Planning Commission will only review a submission when the proper sequence of procedures has been adhered to as stated in the County Subdivision Regulations, (unless waived by the County Zoning Administration) as follows:
1. Sketch Plan Submission and Review
 2. Preliminary Plan Submission and Review
 3. Final Plat Submission and Review
- V. Due to Pueblo Regional Planning Commission's responsibility of planning for the greatest public benefit while minimizing public economic, social and physical costs, the Commission will consider the following factors when reviewing a subdivision:
1. The amount and kinds of subdivided lands existing in the region at the time of review.
 2. The potential impacts attributable to the proposed subdivision on surrounding development and existing land use.

3. The relative economic, social and physical value of the land in its current use versus the relative economic, social, and physical value of the land in its proposed use.
4. The current housing needs of the Pueblo area based on geographic, physical, economic and social needs.
5. The proximity of the proposed subdivision to deposits of minable minerals and the existence of minable mineral deposits within the confines of the proposed subdivision.
6. The public and private costs of providing services to the proposed subdivision and the percentile cost of each.
7. The implementation time of the proposed subdivision in relation to phasing and projected community needs.
8. The point and non-point environmental pollution sources potentially attributable to the proposed subdivision.
9. The amount of natural resource and energy consumption or impaction potentially attributable to the proposed subdivision.
10. The proposed subdivision development as it relates to the concept of "satellite communities."
11. The proposed subdivision development as it relates to the concept of "availability of life style options."
12. The proposed subdivision development as it relates to the concept of "continuous trail and open space system."
13. The proposed subdivision development as it relates to the concept of "separation of development areas."
14. The proposed subdivision development as it relates to the concept of "planning-management relationships-management areas."
15. The proposed subdivision development as it relates to the concept of "internal redevelopment and consolidation in existing developed areas."
16. The proposed subdivision development as it relates to the concept of "preservation of natural resources for future use."

17. The proposed subdivision development as it relates to the concept of "intensified utilization of existing subdivided land and its associated resources-concentrated development."
18. The proposed subdivision development as it relates to the concept of "minimization of new highway investment."

PRELIMINARY PLAN REQUIREMENTSAs Contained in The Pueblo County Subdivision Regulations

<u>No.</u>	<u>Section-Item-Part</u>	<u>Submittal Content Requirements</u>
VIII-2 Content		
1	VIII-2-A	Application - 2 copies
2	VIII-2-B	Subdivision Name
3	VIII-2-C	Name and Address of Owner(s)
4	VIII-2-C	Name and Address of Designer
5	VIII-2-D	Developer's License
6	VIII-2-E	Legal Description of Site
7	VIII-2-E	Acreage of Site
8	VIII-2-F (1)	Vicinity Map:
8a	VIII-2-F (1) (a)	Related Existing and Planned Streets
8b	VIII-2-F (1) (b)	Zoning Districts, Taxing and Other Special Districts
9	VIII-2-F (2)	Perimeter Plan:
9a	VIII-2-F (2) (a)	Relevant information Within 1/2 Mile
9b	VIII-2-F (2) (b)	Abutting Property Lines
10	VIII-2-F (3)	A Traverse Map
11	VIII-2-F (4)	"Layout" Map(s) at 1" = 100'
11a	VIII-2-F (4) (a)	Lot and Street Layout:
11b	VIII-2-F (4) (b)	Dimensions of All Lots
11c	VIII-2-F (4) (c)	Lots and Blocks Numbered
11d	VIII-2-F (4) (d)	Location & Identification of All Existing & Proposed Public & Private Easements
11e	VIII-2-F (4) (e)	Existing & Proposed Street Names
11f	VIII-2-F (4) (f)	Sites to be Reserved or Dedicated for Parks, Schools or Other Public Use
11g	VIII-2-F (4) (g)	Sites for (if any): Multi-Family Units; Shopping Centers; Community Facilities; Industry; Other Non-Single Family Residential Units
11h	VIII-2-F (4) (h)	Common Open Space Not Dedicated or Reserved
11i	VIII-2-F (4) (i)	Area (to nearest 1/2 a.) & % of Total Site Devoted to Streets & Other Specified Uses
11j	VIII-2-F (4) (j)	Existing Buildings; Other Easements; Gas Line; Telephone Lines; Power Lines & Other Features on & Within 200' of Proposed Subdivision

Preliminary Plan Requirements

<u>No.</u>	<u>Section-Item-Part</u>	<u>Submittal Content Requirements</u>
12	VIII-2-F (5)	"Soils" Map(s) at 1" = 100'
12a	VIII-2-F (5) (a)	Lot & Street Layout
12b	VIII-2-F (5) (b)	Soil Types & Boundaries
12c	VIII-2-F (5) (c)	Related Table of Interpretations
12d	VIII-2-F (5) (d)	Significant Geologic Features
12e	VIII-2-F (5) (e)	Trees over 6" Diameter at 6' Above Ground on Site; or Outline (if wooded area) Showing Trees to Remain
13	VIII-2-F (6)	"Topographic" Map(s) at 1" = 100'
13a	VIII-2-F (6) (a)	Lot & Street Layout
13b	VIII-2-F (6) (b)	Existing Contours at 2' Intervals for Level Ground; Contours at 5' Intervals for Slopes over 5%
13c	VIII-2-F (6) (c)	Generalize Grading Plan Identifying Cut & Fill & Street Gradients
13d	VIII-2-F (6) (d)	Water Courses & Proposed Drainage Systems Including Culverts; Water Areas; Streams; Areas Subject to Flooding; Marshy Areas; Swamps
13e	VIII-2-F (6) (e)	Boundaries of Areas Subject to Inundation or Stormwater Overflow in a 100-Year Storm
13f	VIII-2-F (6) (f)	(If required) Soil Erosion & Sedimentation Control Plans & Specifications
VIII-3 Drawing Requirements		
14	VIII-3-A	Map Prints Shall Be Black Or Blue On White & Clear & Crisp Line Quality
15	VIII-3-B	Accuracy of Location of Alignments, Boundaries & Monuments Certified by a Registered Land Surveyor
16	VIII-3-B	The Plan Shall Be At 1" = 100' or Greater and Have: North Arrow; Basis of Bearing; Subdivision Name; Name of Municipality: Township, Range, Meridian Section & 1/4 Section; Block & Lot Number
VIII-4 Text		
17	VIII-4-A	Total Acreage Involved
18	VIII-4-B	Function, Ownership & Maintenance of Non-Dedicated or Non-Reserved Common Open Space
19	VIII-4-C	On-Lot Sewage Treatment Disposal Report
20	VIII-4-D	The Substance of All Covenants, Easements & Restrictions Affecting Development
21	VIII-4-E	Geologic Suitability Report
22	VIII-4-F	Table of Soil Interpretations
23	VIII-4-G	Survey Notes & Records

Preliminary Plan Requirements

<u>No.</u>	<u>Section-Item-Part</u>	<u>Submittal Content Requirements</u>
24	VIII-4-H	Abstract of Title for Property
25	VIII-4-I	Total Number of Proposed Dwelling Units
26	VIII-4-J	Total Number of Square Feet of Non-Residential Floor Space
27	VIII-4-K	Total Number of Off-Street Parking Spaces
28	VIII-4-L	Estimated Total Number of Gallons/Day Water Required
29	VIII-4-M	Estimated Total Gallons/Day of Sewage to be Treated Any Way This Will Be Done
30	VIII-4-N	Estimated Construction Costs & Finance Method for Providing Required Services
31	VIII-4-0	Evidence of Water in Sufficient Quality & Quantity
31a	VIII-4-0 (1)	Evidence of Ownership or Right of Use
31b	VIII-4-0 (2)	Historic Use & Estimated Yield of Claimed Right(s)
31c	VIII-4-0 (3)	Amenability of Existing Right to a Change in Use
31d	VIII-4-0 (4)	Evidence that Public or Private Water Owners Can & Will Supply & Extend Services
31e	VIII-4-0 (5)	Evidence of Potability of Proposed Water Supply
31f	VIII-4-0 (6)	Evidence that Public or Private Sewage Treatment Can & Will Provide Service if Common System is to Serve
VIII-5 Geologic Report		
32	VIII-5-P	On-Lot Water Supply Proposals Shall Submit a Geologic Report Prepared by a Qualified Ground-Water Geologist
32a	VIII-5-P (1)	Show Probability of Success of Wells or On-Site System
32b	VIII-5-P (2)	Expected Long-Term Yield
32c	VIII-5-P (3)	Expected Depth to Usable Water
32d	VIII-5-P (4)	Expected Water Quality
32e	VIII-5-P (5)	Expected Supply, Pollution & Maintenance Problems

APPENDIX F

IMPLEMENTATION
SUMMARY

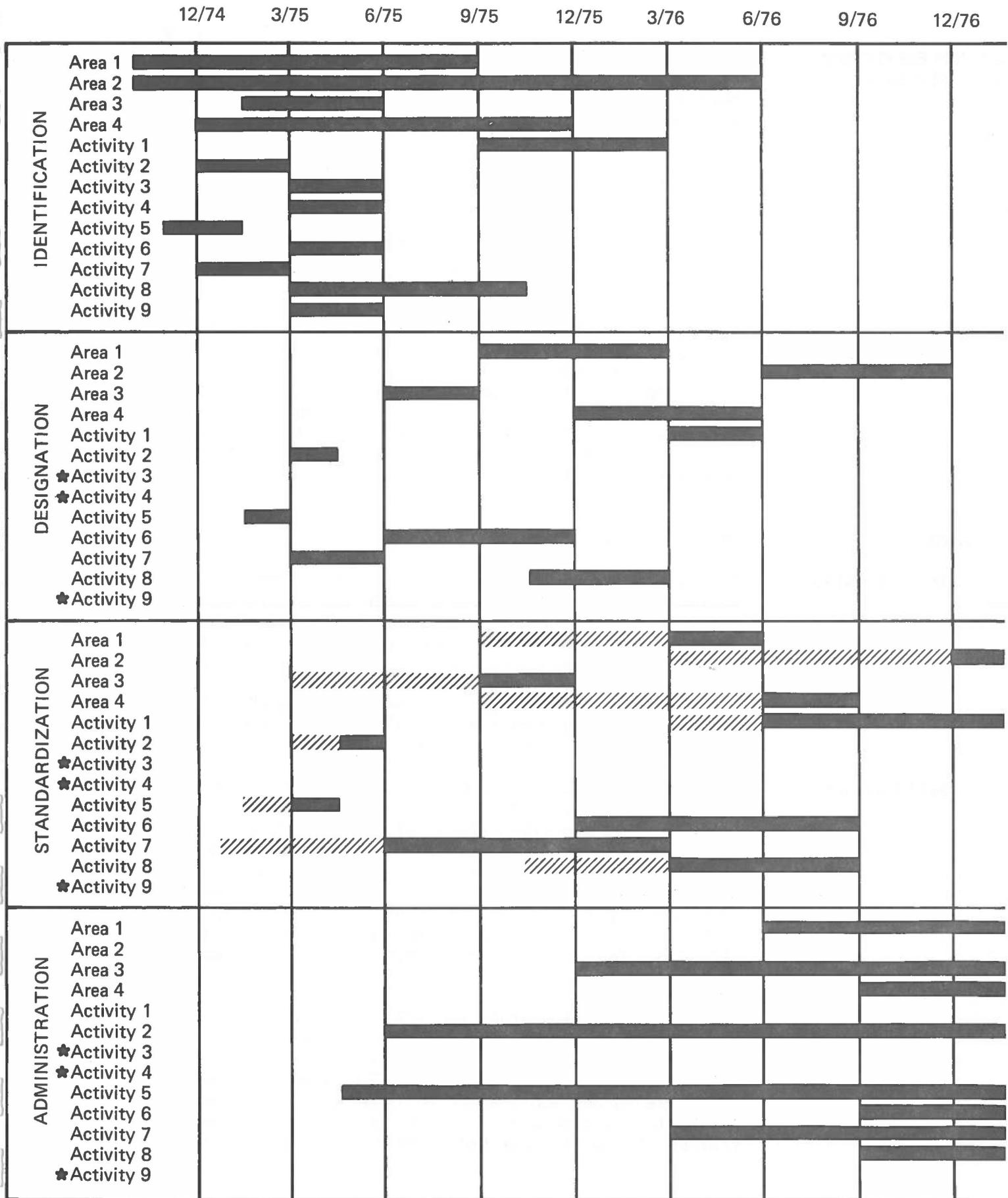
This appendix presents the sequence by which implementation of H.B. 1041 Activities will occur. This implementation sequence is staggered in time according to the estimated work required within each of the IDSA stages for the four Areas and nine Activities of State Interest. As indicated on the following Implementation Sequence Chart, three Activities of State Interest shall receive "Identification Consideration" from March, 1975 to June, 1975. It is now anticipated that these three Activities

- Activity 3: *Site Selection of Airports*
- Activity 4: *Site Selection of Rapid or Mass Transit Terminals, Stations and Fixed Guideways*
- Activity 9: *Conduct of Nuclear Detonations,*

shall not be of such current or anticipated urgency for Pueblo County that Designation is necessary within the proposed planning period. The possibility that "Identification Research" might alter this expectation, however, is not disallowed - especially at this time.

Certain aspects of H.B. 1041 Activities are eligible for funding from other public sources - primarily Federal. A great amount of research, data collection, analysis and evaluation are necessary under Activity 1: *Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and Major Extensions of Such Systems*. In the Pueblo region, the anticipated planning under Section 208 of The Federal Water Pollution Control Act Amendments of 1972 will provide for data necessary to this activity for H.B. 1041 consideration. Likewise, the Housing and Urban Development 701 Comprehensive Planning Program, currently as well as historically, will provide assistance leading to H.B. 1041 Designations. The predominant attitude in opting for an integrated approach to these various "planning" programs is not only to obtain some order out of multiplicity, but also to conserve and economize on existing or budgeted levels of public expenditures. Through responsible coordination, this intent can be accomplished.

IMPLEMENTATION SEQUENCE CHART



★ Not Currently Applicable
 // Stage Overlap

IMPLEMENTATION SEQUENCE

The Implementation Sequence is based upon existing staff expertise and required planning-review-decision-making procedures coupled with current alternatively funded programs and additional financial assistance under the H.B. 1041 Program.

Preliminary Analysis of the Sequence is presented in this document because it is helpful to view the overall IDSA Process in the context of probable implementation time frames in order to relate each stage of the Process and the anticipated effort to be allocated to each Matter of State Interest.

Each Stage of the Process, as described in the text of this document is assigned a specified function with a specified procedure intrinsic to the required results. To relate these individual requirements to each Matter of State Interest produces the anticipated Implementation Sequence. Therefore, each Matter will be briefly evaluated in terms of each Stage and the resulting influences upon implementation will be presented.

AREA 1

Mineral Resource Areas

Identification:

This Stage is currently underway and preliminary investigation has proceeded primarily under the requirements of House Bill 1529. It is anticipated that a period of 9 additional months will be needed to complete Identification for this Area under H.B. 1041 because of the complexities involved. This Area is of such a significant nature in relation to Pueblo that a separate and supplementary proposal is being prepared to deal with it. This proposal will appear in Volume II as a Special Topic analysis.

Designation:

The Designation Stage for Area 1 may require at least 6 months to complete. This can be attributed to some of the probable controversial aspects of Mineral Resource Areas when considering the relationship of these areas to existing and proposed developments. Another factor is the past experience of the community in dealing with extraction operations when there have been complex issues involved. Due to these possible implications, Designation should not be initiated until Identification has been completed.

Standardization:

The Standardization Stage for Area 1 will probably require 9 months to complete. The analysis and evaluations can begin after Identification has been accomplished and continue simultaneously with Designation. This Stage will probably be completed one month after Designation. The reason for this extended time period is the need to make the Administration of Area 1 consistent with the Federal and State

legislation and standards pertaining to mining operations and to insure that local needs are adequately reflected in the standards.

Administration: Administration can begin immediately after the completion of Standardization which should occur in June of 1976. This will be the point where integration of the related legislated reviews and any modifications to the existing review-decision-making portion of the local process take affect.

AREA 2: *Natural Hazard Areas*

Identification: This Matter of State Interest will probably require the greatest amount of time for the Identification Stage. The complexity of the topic is a definite factor; however, the main reason for the extended time requirement is the type of analysis and evaluation needed to adequately answer all 13 questions. A substantial amount of time and funds must be allocated for completion of the investigations, e.g., floodplain mapping and analysis, and accordingly an approximate period of 18 months has been set aside for Area 2 Identification.

Designation: This Area of State Interest has such intricacies associated with it that 6 months may be required to complete the Designation Stage. Due to the fact that existing and proposed developments will probably be affected, the review-decision-making portion of the Implementation Process may necessitate several public hearings. The required associated notification and transferral procedures will probably extend this Stage to the time allotted. d.

Standardization: The time required to complete this Stage will probably involve a total of 12 months. The time frame is based upon the necessity of insuring that all existing Federal, State and Local legislation is included, where pertinent, and that all the various standards are compatible with and complementary to the regulations for administering Natural Hazard Areas.

Administration: As evidenced in the Implementation Sequence and due to the time required for the previous three stages, the Administration Stage cannot be indicated on the chart. This Stage will be initiated immediately after the completion of Standardization and the date should fall within the first quarter of 1977.

AREA 3:

Areas Containing, or Having a Significant Impact Upon Historical, Natural, or Archaeological Resources of Statewide Importance.

Identification: This first Stage will probably not be initiated until the middle of the first quarter of 1975 and will continue for a period of approximately 4 1/2 months. The major effort involved with evaluating the importance of this Area of State Interest is the investigation of the impacts of Pueblo Reservoir on the Pueblo Community. This Natural Resource has already influenced Pueblo and will probably continue to cause additional activities and developments to occur. The complexity of the topic and the anticipated effort that will be required to complete the necessary analyses and evaluations in order to answer the 13 questions of Identification will be presented in Volume 11 where this Area of State Interest will be handled as a Special Topic.

Designation: The Designation Stage of the IDSA Process for Area 3 will probably be completed in the third quarter of 1975. It is not anticipated, at this time, that there will be undue difficulties with this stage.

Standardization: The third Stage of the Process should be initiated after the first month-and-one-half of Identification and should be completed in the first quarter after Designation, or, by December of 1975. The Standardization Stage will be the most time consuming for Area 3.

Administration: The Administration Stage for Area 3 should be initiated by December of 1975 and will probably pertain mainly to new residential development around the Pueblo Reservoir, recreational activity associated with the Reservoir and the presentation of several Historical and Archaeological Sites.

AREA 4:

Areas Around Key Facilities in which Development May Have a Material Effect Upon the Facility or Surrounding Community.

Identification: Identification will be the most difficult of the four Stages and will probably require 12 months in order to be complete by December of 1975. Some of the associated problems with Area 4 have to do with the definition of "area" and the determination of effect on the community caused by a Key Facility. There may also be a need for clarification of definitions of criteria for this Area.

Designation: The Designation Stage for Area 4 may require 6 months due to some of the Key Facilities involved and due to the implications with respect to existing and proposed development associated with the Key Facilities.

Standardization: Standardization for Area 4 will probably be extensive and involved and may require up to 12 months for completion. This Stage should be initiated at least three months before the completion of Identification and continue to a maximum of one month after the finalization of Designation. The regulations for Administration will pertain to various different types of facilities and therefore possibly involve some complicated provisions which must be compatible with the total set of regulations.

Administration: Administration of Area 4 will begin upon completion of Standardization which should occur in October of 1976.

Activity 1: *Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and Major Extension of Existing Domestic Water and Sewage Treatment Systems.*

Administration: The anticipated initiation of the Identification Stage for this activity will probably be in October of 1975. The reason for the delay is that the associated programs under Section 208 of the Federal Water Pollution Control Act Amendments of 1973 must be operational. Section 208 Program will deal extensively with the topics involved in Activity 1, and therefore it is anticipated that the Identification Stage will be an output from the Section 208 effort.

Designation: Designation will be completed by the end of the quarter of 1976 immediately following the completion of Identification. The time allotted for this Stage may prove to be insufficient if there is extensive concern by various Water and Sanitation Districts or Associations. It is anticipated that this problem will not arise and therefore the Stage can be completed in the allotted period.

Standardization: Standardization for this Matter will be initiated in October of 1975 and be accomplished concurrently with Identification. This Stage will continue through Designation and will be completed in the first quarter of 1977 utilizing output from the Section 208 Program.

Administration: The Administration of this Matter of State Interest will proceed after Standardization has been completed which will be the first quarter in 1977.

Activity 2: *Site Selection and Development of Solid Waste Disposal Sites.*

Identification: Identification for this Matter of State Interest should be completed within the first quarter of 1975. There is previous research material on the topic which can serve as the basis for this Stage in order to expedite Identification.

Present demand for new disposal sites is not extensive; therefore, the probable investigation for Activity 2 will not be a priority effort.

Designation: The second Stage for this Matter will probably not require a great deal of time due to the minimal demand for new sites. It is anticipated that Designation will be completed by the middle of May of 1975.

Standardization: Standardization for Activity 2 will probably be initiated after Identification has been completed and will continue to July of 1975. This will be the most involved Stage since there are relationships and interdependencies with other programs to be considered.

Administration: Administration of this Activity should begin in July of 1975 after the completion of Standardization.

Activity 3: *Site Selection of Airports.*

Identification: Identification of this Activity of State Interest will probably be completed in the first quarter of 1975. Based upon previous examination, it is assumed that there is minimal demand for this Activity and that the first Stage will be accomplished in a comparatively short time.

Designation: Due to an anticipated lack of need for immediate or foreseeable conduct of this Activity, Designation may not occur within the indicated time frame for implementation. If it is necessary to complete Designation for Activity 3, it can be accomplished within the second quarter of 1975.

Standardization: Again, due to the lack of foreseeable demand for conduct of the Activity, Standardization will probably be delayed until Designation is undertaken.

Administration: Administration of this Activity of State Interest will not be required until the completion of the previous two Stages. There is no apparent need to undertake this Stage within the initial time frame.

Activity 4: *Site Selection of Rapid or Mass Transit Terminals, Stations, and Fixed Guideways.*

Identification: The Identification Stage for this Activity of State Interest is programmed for completion within the first quarter of 1975. Due to the apparent lack of need for mass or rapid transit systems for Pueblo, it is anticipated that this Stage will not require extensive effort.

Designation: As with Activity 3, there will probably not be a requirement for immediate Designation due to the lack of demand

for conduct of this Activity. If Designation is required, it can probably be completed within the second quarter of 1975.

Standardization: There will be no efforts programmed for this Stage at this time. Unless Designation is required, Standardization will probably not occur within this time reference.

Administration: Similarly, Administration will probably not be necessary for the foreseeable future, and it is not programmed to occur within this Implementation period.

Activity 5: *Site Selection of Arterial Highways and Interchanges and Collector Highways.*

Identification: Identification for this Activity of State Interest is essentially being conducted by the staff of the Pueblo Area Transportation Study (PATS) and should be translated into appropriate form for H.B. 1041 use by the middle of the first quarter of 1975.

Designation: This Stage should be completed with relative ease due to the existing PATS effort and should be finalized by the end of the first quarter of 1975.

Standardization: Standardization for this Activity will be initiated after Identification is completed and will be final by May of 1975. The six month period allotted for this Stage is based upon the need to correlate all State and Federal regulations and provide for their inclusion into local standards.

Administration; Administration of this Activity will probably begin in May of 1975. Considering the present programs dealing with transportation in effect within the community, this Matter of State Interest should not create any difficult conditions for the local government and Administration should be efficiently conducted.

Activity 6: *Site Selection and Construction of Major Facilities of a Public Utility.*

Identification: The first Stage for this Activity will probably be initiated and completed within the first quarter of 1975. The Identification of this Matter will probably not be the Stage which will require the most effort. Three months of analysis and evaluation should be adequate, since the Utility Companies usually provide substantial information on most of their projects.

Designation: This Stage may involve a period of six months to complete after Identification has been finalized. The reason for

this amount of allotted time relates to some of the issues involved where a local government is dealing with an Activity which may have substantial economic, social, and political impact upon the community.

Standardization: The Standardization Stage will probably require the most effort due to the various standards and regulations to be included within the local considerations. This Stage should not be initiated until Designation is completed. As presently programmed, Standardization for Activity 6 would not begin until January of 1976 and continue through September of that year. However, if the previous Stage is completed earlier than anticipated, the start-up time could be moved back and this stage finalized at an earlier date.

Administration; As indicated by the Chart on page 89, this Stage is programmed to be in operation by October of 1976. If, as discussed above, the previous Stages were completed earlier, Administration could be initiated at an earlier date. One of the key aspects of the Stage for this Activity is the insurance that all referral and permit-issuance procedures required by the State have been followed.

Activity 7: *Site Selection and Development of New Communities.*

Identification: The first Stage for Activity 7 should be completed within the first quarter of 1975. This Matter has been previously discussed in the text and it has been indicated that due to the significance of the issues involved, this Activity should be a Special Topic and a proportionate additional amount of effort allotted for completion of the IDSA Process in relation to this Activity. The comparative early completion time for this Stage is due to the fact that a certain amount of previous research has been accomplished in relation to this Activity and that the relative specificity of the topic lends itself to intensive and efficient analysis and evaluation.

Designation: This Activity of State Interest relates, for the most part, to present programs and planning-review-decision-making procedures under Senate Bill 35. This similarity will probably facilitate Designation. Another assist in completing this Stage is the fact that Pueblo is attempting a revitalization of its two main business districts which directly relates to the subject of Activity 7. It is anticipated that Designation will be completed within the second quarter of 1975.

Standardization: The Standardization Stage for this Activity will require a substantial amount of time and effort. It is proposed that this Stage be initiated within one month of the start of Identification and continue to the end of the first quarter of 1976, or a total allotted time of 14 months.

The reason for this extended period is the complexity of the topic and the variety of issues involved to adequately develop standards for New Communities. This is the Stage where assistance from the State will be needed and, in turn, where the most beneficial and useful results will be gained.

Administration: The Administration of this Activity should be initiated April of 1976, immediately following the completion of Standardization. The effectiveness of this Stage will depend in large part upon the quality of the previous Stage results. The implementation of this Stage will not be uncommon as the relation to existing procedures has indicated.

Activity 8: *Efficient Utilization of Municipal and Industrial Water Project.*

Identification: The Identification of this Activity of State Interest will be complex in that there are many potential problem areas involved and extensive inventories and analyses must be performed in order to adequately address the pertinent issues. It is probable that this Stage will not begin until the second quarter of 1975 and take up to the middle of the third quarter to complete. A great deal of the work involved will be undertaken by consultants currently under contract to the City for engineering studies relating to this Matter. It is anticipated that much of their effort can be translated to H.B. 1041 requirements and that most of the consulting study will be completed by the anticipated date for completion of Identification for Activity 8.

Designation: This Stage may take up to 4 1/2 months to complete due to the possible number of development activities involved. It is anticipated, however, that Designation can be completed by April of 1976.

Standardization: To complete Standardization for this Activity will probably require a total of 10 1/2 months. This estimate is based upon the extensive number and types of land use activities and locations to be considered in establishing standards. Again, it is anticipated that some of the other programs will assist in this effort and that this Stage should be completed in September of 1976.

Administration; Administration of Activity 8 will possibly begin in October of 1976. The effectiveness and efficiency of implementation of this Stage is dependent upon the results of Standardization. If the results from the previous Stage are readily usable, then this Stage will be facilitated.

Activity 9: *Conduct of Nuclear Detonations.*

- Identification: Identification of this Activity should probably be completed during the second quarter of 1975. Due to the lack of past demand for future conduct, the intensity and effort will probably not be as great as in other investigations.
- Designation: This is an Activity that is in the same classification as Activity 3 and Activity 4. The apparent lack of demand may mean that Designation will not occur within the immediate future. If, however, there is an indication from Identification that there is a need for Designation to occur, this can probably be accomplished by the third quarter of 1976.
- Standardization: This Stage also relates to the timing of demand and the initiation of Designation. This Stage can be accomplished at any time; however, there is no apparent nor anticipated need for programming immediate Standardization completion.
- Administration: Until the above two Stages are completed, Administration cannot be undertaken. It is probable that even after the completion of Designation and Standardization, there may not be a need to be concerned with Administration of Activity 9.

This is a rudimentary evaluation of the possible Implementation Sequence. The exact initiation and completion times cannot be absolutely specified at this juncture. The clarification requested within the text of this Volume will have a substantial bearing on the Implementation of House Bill 1041; therefore, the foregoing was based upon many assumptions which have to be substantiated.

There are several points of qualification which must be made. First, Designation may require more than one or two public hearings and may have to be allotted a substantial amount of time for completion. The estimates presented herein are based upon estimated maximums and, in reality, will probably take less time than programmed.

Second, Standardization may require more than adopting models transmitted from State agencies. There may possibly be definite points of disagreement between the State and the local government on the appropriateness of some require-

ments under the proposed regulations. The possibility also exists that complete standards may not be available for some time. If consideration is also given to the transferral-review and comment procedures between the local government and the State, Standardization may require extensive time periods for completion. Again, the estimates on allotted time was based on anticipated maximums.

Third, this Implementation Sequence is subject to modifications dependent upon the above and the priorities established by the local entities involved. It is suggested, however, that the Sequence discussed is valid considering the assumptions made.

BUDGET

The following is a budget summary for the Identification-Designation-Standardization-Administration Program (IDSA):

Salaries: Diversion of Existing Personnel
(\$28,624)

Salaries: New Personnel
(\$17,100)

TOTAL Salaries:	\$45,724
Office Supplies	2,400
Operating Supplies	2,100
Field Work, Reconnaissance and Travel	4,000
Training and Research Materials	1,000
Consultants	24,500
Printing	4,000
Capital Outlay	<u>3,000</u>
TOTAL	\$86,724
Les initial appropriation	<u>25,000</u>

SUPPLEMENTAL REQUEST FOR IDENTIFICATION-DESIGNATION-STANDARDIZATION-ADMINISTRATION PROGRAM \$61,724

Only two line items differ substantially from the earlier submittal of May 28, 1974: Total Salaries and Consultants. A reappraisal of required staffing needs and probable priority rankings as previously discussed are primary factors leading to these increases. The Director of The Pueblo Regional Planning Commission has been designated as Land Use Administrator for Pueblo County. He will spend approximately four months during the IDSA planning period on H.B. 1041 implementation. Ron Simpson, of the existing staff, has been assigned full-time to the program as Assistant Land Use Administrator. In addition to existing resources and these personnel assignments, one new staff position will be required. This individual will be assigned full-time to the program. It is anticipated that the background required for the new staff person will be in the general subject area of natural resources or earth sciences. This area of expertise represents a necessary addition to collective staff skills.

In the area of consultant services, three particular subject Areas are significant enough in importance to require specific consultant assistance. These are:

AREA 1: *Mineral Resources Areas*

AREA 3: *Areas containing or having significant impact upon historical, natural or archaeological resources*

Activity 7: *Site Selection and Development of New Communities*

These three Matters will necessitate an increase to \$24,500 in the amount requested for Consultant services.

CONCLUSION

Budget amounts and chronological sequences presented in this document will, of necessity, have to conform to the scheduled function of several other public agencies. Modifications in both time and budget allotments may occur. The complexities of House Bill 1041 require a strict and constant surveillance by the State, an effort to define administratively what has only legislatively been inferred, and an omnibus effort and good faith on the part of all involved -- as well as a general and mutual flexibility in the endurance of multiple problems. Innovation is difficult and sometimes slow; the role of "pathfinders" lonely, but sometimes possible.

